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ABSTRACT

This document comprises the three issues of Volume 13 of the "Speak Out for Children" newsletter, published to strengthen families through education and to assist children of unwed parents, separation, and divorce. The Spring 1998 issue contains articles on joint custody and the reduction of parental conflict, access grant programs, standby guardianship, and proposed federal legislation to strengthen financial child support. The Summer-Fall 1998 issue includes articles on the anti-joint custody resolution in the U.S. House of Representatives, locating missing children, the long-term impact of divorce on children, child access to non-custodial parents, and reasonable child support awards. The Winter 1999 issue contains articles on passage of the Access (Visitation) Law, shared parenting, fatherless boys, locating missing children, and helping domestic violence victims by issuing a new Social Security number. Regular features include book reviews, news from individual chapters of the organization, descriptions of relevant court cases, and descriptions of pending federal legislation. (KB)

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Strengthening Families Through Education

Assisting Children of Unwed Parents, Separation and Divorce

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SPEAK OUT FOR CHILDREN®

The Quarterly Newsletter of the Children's Rights Council, Inc.
300 "I" Street N.E., Suite 401, Washington, D.C. 20002-4389 Phone (202)547-6227

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All States Running Access Grant Programs

All 50 states and four jurisdictions (District of Columbia, Puerto Rico, Guam, and the Virgin Islands) are in the process of implementing programs under the first $10 million in access/visitation grants disbursed by the federal government.

A wide variety of programs are being carried out by the jurisdictions, including Voluntary and Mandatory Mediation, Counseling, Education, Development of Parenting Plans, Visitation Enforcement, Monitored Visitation, Supervised Visitation, Neutral Drop-off and Pick-up Centers, and Development of Guidelines for Visitation and Alternative Custody Arrangements.

"A mix of programs and services are being tested, with no one program or service predominating," said David Arnaudo, who is in charge of overseeing the access/visitation grants on behalf of the federal Office of Child Support Enforcement, U.S. Department of Health and Human Services.

Arnaudo said that the second round of grants should be announced soon. There is $10 million available in this second round of grants, just as there was $10 million in the first round.

Each state received at least $50,000 in the first round of grants, with the average grant totaling about $190,000. California was the largest recipient, receiving more than $1 million. The disbursements were made under a formula based in part on the number of single-parent households in the state.

The grants are provided under a provision of the 1996 Welfare Reform law "to establish and administer programs to support and facilitate non-custodial parents access to and visitation of their children by means of activities including mediation (both voluntary and mandatory), counseling, education, development of parenting plans, visitation enforcement (including monitoring, supervision, and neutral drop-off and pick-up) and development of guidelines for visitation and alternative custody arrangements."

Continued on page 3

New Study by Judith Seltzer

Joint Custody Reduces Conflict Even Between Parents Who Don't "Choose" Joint Custody

Study Reviewed by Richard A. Kuhn, CRC Evaluator of Research

Does joint custody help to reduce conflict between parents or is it simply that more cooperative parents are more likely to agree to joint custody arrangements in the first place?

Many studies have demonstrated that joint custody arrangements lead to much better compliance in financial child support and greater parental involvement. But opponents of joint custody have claimed that these benefits occur only because the more cooperative parents were the ones that chose joint custody.

A new study by Judith Seltzer, Ph.D., University of Wisconsin-Madison, provides strong evidence to refute this claim.

Her research indicates positive effects for joint legal custody even among parents who had not chosen joint custody.

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Stop Congressional Anti-Joint Custody Resolution Sec. 241 of H.R. 3514
See page 5

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Children's
Charities of
America

About CRC

The Children's Rights Council (CRC) is a nation-wide, non-profit IRS 501(c)(3) children's rights organization based in Washington, D.C.

CRC works to strengthen families through education and advocacy. We favor family formation and family preservation, but if families break up, or are never formed, we work to assure a child the frequent and continuing contact with two parents and extended family the child would normally have during a marriage. Our motto is "The Best Parent is Both Parents."

For the child's benefit, CRC favors parenting education before marriage, during marriage, and for parents who are unwed or separated. We work to demilitarize divorce between parents who are involved in marital disputes, substituting conciliation and mediation for the adversarial process, and providing for emotional and financial child support. We work to strengthen fragile families of children whose parents are unwed. We also favor school-based programs for children at risk.

Formed in 1985 by concerned parents who have more than 40 years collective experience in custody reform and early childhood education, CRC has chapters in 32 states and three national affiliate organizations: Mothers Without Custody (MW/OC), Parents Without Partners (PWP), and the Stepfamily Association of America (SAA).

Prominent professionals in the fields of religion, law, social work, psychology, child care, education, business, and government comprise our Advisory Panel.

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Change of Address

To keep newsletters and other materials coming, please notify CRC three weeks in advance of any address change.

Send old and new addresses to CRC, 300 "I" Street N.W., Suite 401, Washington, DC 20002

!!NEWS FLASHES!!

1: Read "The War Against Parents," a new book by Sylvia Ann Hewlett and Cornel West. It is excellent. The sections on child support and access/visitation could have been written by CRC!

2: Read Time magazine, May 5, 1998 issue, cover story about Bipin Shah, whose two daughters have been kidnapped by the mother and hidden in the "underground" by Faye Yaeger.

3: See CRC Press release about the Boston/Florida Fagan kidnapping case.

Copies of 2 and 3 are available from CRC. Non-Members send self-addressed, stamped (.55) envelope and $5. Free for Members with a self-addressed, stamped (.55) envelope.

Nebraska/Iowa is Still CRC's Largest Chapter

For the second year in a row, Nebraska/Iowa is CRC's largest chapter. The coordinators are Lyn and Bill Huerter, who say the substantial number of phone calls from custodial and noncustodial parents, grandparents and children make their office seem as busy as Grand Central Station. Mike Hyland is the Omaha chapter president. Other chapters and chapter leaders are: Leah and Terry Mullen, Council Bluffs, IA; Debbie and Neil Faber, Alliance, NE; Linda and Gaylord Dose, Hampton, NE; and Chris and Jim Babcook, and Helen Harwager, Lincoln, NE.

Letters to the Editor

Editor:

I am writing to show my appreciation to Mr. Frank Banner and the Children's Rights Council.

After exhausting all avenues within the court system, child support enforcement and lawyers, to no avail, I felt lost. Then I contacted CRC, and you referred me to Frank Banner, head of CRC's Washington, D.C. chapter.

Banner counseled me on the proper procedure to handle my situation with my daughter and her mom. Without the knowledge, expertise and personal experience, I probably wouldn't have been successful. I am eternally grateful for this Godsend.

My daughter's name is Stephanie. She is 15 and in middle school. She and I are very close and I value our relationship very much. The quantity and quality of time we spend together is priceless. We have struggled to maintain this rapport since her birth. This is why I went through such lengths to keep this relationship ongoing. It is just as important to her as it is to me. This situation also affects a host of family members who care deeply about our well-being.

It makes me feel good to know that I'm not alone in this. And to all others, never give up hope! I will help others as I have been helped. God bless!

Antonio Jones
Washington, D.C.

Access Grant

Continued from page 1

Each state and jurisdiction is expected to receive about the same amount of money in the second round of grants as it received in the first round, although some grants may vary.

CRC of Illinois Gets $200,000

From what CRC can determine, only a limited number of CRC-type groups applied in their states for funding. Of these, several received funds. They are:

◆ CRC of Illinois, headed by Terry Cady, will administer $200,000 in access/visitation funds for programs in DuPage County, just outside Chicago. The programs would include neutral drop-off and supervised visitation sites, access/visitation education, counseling, and a separate program for never-married parents who need information and help on parenting and access. Cady is a senior vice-president of Bank of America. "Having a successful businessman like Terry Cady in a leadership role in CRC is inestimable," said CRC board member and businessman Paul Locigno.

◆ The Virginia Fatherhood Initiative (VFI), headed by Michael and Cindy Ewing, received $23,000 from the state of Virginia for the "Virginia Children's Access Program." The funds will enable VFI to establish neutral drop-off and pick-up centers, telephone access counseling, mediation, referrals to other services—such as parenting skills classes, divorce education, family therapy, and anger management. Both Michael and Cindy took mediation training, and will staff four sites for neutral drop off and pick up centers in the Chesapeake, Norfolk, and Virginia Beach areas.

◆ CRC of New York State, headed by Kim Boedecker-Frey, received $32,600 from New York State to offer follow-up services to participants in CRC's existing parenting education seminars, establish a special masters program (the first in New York state) to help highly conflicted and litigious parents work out a parenting agreement they can live with, helping two neighboring counties (Tompkins and Cortland) to set up their own parenting education programs, and hold a workshop for judges and attorneys on access/visitation issues. (Masters and special masters exist in some states to help judges resolve domestic relations issues).

◆ David L. Levy and CRC received a $10,000 grant from the state of Missouri to provide consulting services to the Office of Child Support Enforcement on the state's access/visitation programs, to author three articles that describe the progress of access grants in the U.S. in general and Missouri in particular for publication in three journals, to speak at a judicial conference and one other conference.

Levy

The CRC View

by David L. Levy

"I haven't seen my child in six months."

"I see my child only once every month, because my ex-spouse constantly puts roadblocks in the way."

"The courts don't understand that my child has been alienated from me."

These are what many of the parents who call CRC say.

We try to help them. And so do our chapters, and many other groups around the country.

Sometimes, the parents who contact CRC mail or fax us 10 or 20 pages of unsolicited material about their cases.

Some of them say they have mailed or faxed those 10 or 20 pages to the media, or to their elected representatives, and they have received no reply.

No wonder!

Who is going to read 10 to 20 pages of unsolicited material?

Almost nobody.

Bulky material too often goes unread by the media and elected representatives. They receive so many communications—sometimes hundreds of pieces of paper cross their desk every day, they just aren't going to read a bulky unasked for appeal for help. The messages that bombard all of us each day require us to be selective in what we absorb if we are to survive.

You may be willing to review something at some length if you know the person who is writing to you, but when you receive a "cold communication"—that is, from someone you don't know, your patience is often thinner.

At CRC, we always tell people to consider carefully whether they want to involve the media or legislators in their case, but if they do, they should observe the following rules:

1) Keep your initial communication to one page;

2) the one page should start off with the comments of a professional or other third party who can verify the facts you are saying, for example, "I believe that Sam Smith has been unfairly denied access to his daughter Joan, and that this matter should be investigated." Signed, Dr. Michael Tobias, psychologist (with address and phone number)

or

"Barbara Jenkins, who is the mother of Julia, should be allowed to see Julia at our school. I have often seen Barbara Jenkins, and she is a good mother," signed Doris Jonas, schoolteacher (with address and phone number)

3) Piggy-back the facts of your case below the comments of the third party. That is, give your facts below, *not* above the comments of the psychologist, school teacher, or other party. Say something like this:

"The facts of the case Dr. Tobias (or Doris Jonas) is referring to are as follows...

This way, it is not just you, the aggrieved party, complaining, but a third party whom the media or legislator can see believes you. It gives your complaint more credibility!

You know you are a good parent, and have been aggrieved. And everyone who loves you knows that you have been wronged. Your child misses you, as you miss your child.

But the media or legislator to whom you are writing don't know you from a hole in the head. And given the skepticism in this country about non-custodial parents, they aren't likely to believe you, or care to try to help you, unless a credible 3rd party lends his or her name to your cause. Even then, times are tough. But the 3rd party support makes your case stronger.

Let the recipient of your letter "hang his hat" upon the words of a professional who supports your allegations.

When you can attract a professional, such as a psychologist, school teacher, counselor, or other respected 3rd party to your cause, you enhance your case immeasurably. Be sure to get the person's comments in writing.

As a fall-back position, ask a member of your family for such a written statement of support. That won't be as credible as an independent 3rd party, but anyone is better than just you speaking on your behalf.

4) At the top of the letter, provide your name, address and phone number. In the letter, provide address, and phone number of anyone else you quote.

Then wait and see if your one page even gets a reply.

If you don't get a reply, write again 2 or 3 weeks later, or make a phone call. Or email the person.

If they respond, but the response seems off point, re write the letter, or phone them, or start over again.

Be polite, but be persistent

####

I also find it frustrating when people call CRC and say they have been fighting all by themselves for access.

They don't seem to realize that a support group, whether a CRC chapter or other organization, can provide resources, a knowledge base, and information that is otherwise not possible to obtain.

I sometimes ask them, "What field are you in?"

Whether it be engineer, truck driver, school teacher, or marketing representative, I ask them, could I become knowledgeable in your field without training, guidance, education? Of course not!

"Then what makes you think you can tread through the difficult mine field of child custody without guidance?"

They see the point.

But is it to late?

I ask, do you think that all you need is a good lawyer?

Trouble is, nobody will be as crazy about your child as you are.

So you ought to inform yourself as much as possible about how to proceed.

A support group, like a contact in the media, cannot guarantee success.

But knowing how to proceed helps enormously.

Some in Congress Continue Effort to Gut State Joint Custody Laws

The anti-joint custody resolution we reported in our last issue has been incorporated into the Violence Against Women Act II recently introduced in the House.

The resolution is now Sec. 241 of H.R. 3514. It is the same resolution as before.

Under the resolution, the states are urged to gut joint custody laws, install the "primary caretaker" rule, and give one parent veto power over joint custody.

One good piece of news: After a number of his constituents visited him, Republican Congressman Tom Davis of Virginia, who was an original co-sponsor of the Resolution, withdrew his support. Davis's office said he was against domestic violence, but he supported joint custody.

"That is a position we all share," said Margaret Wuwert, CRC coordinator of Ohio. "Now we need to get more Congressmembers to do what Tom Davis has done—and kill this anti-child resolution."

The resolution, introduced by
Rep. Connie Morella (R-MD), states in full:

Sec. 241. Child custody, child abuse, and victims of domestic violence.

Expresses the sense of the Congress that for purposes of determining child custody, it is in the best interest of children to have a presumption that children should have their main physical residence with the primary caretaker parent unless that parent is unfit. Declares that it is not in the best interest of children to:

1) force parents to share custody over parental objection, or when there is a history of domestic or family violence;

2) punish abused or protective parents who protect themselves or their children;

3) presume that allegations of domestic and family violence are likely to be false, or made for tactical advantage during custody and divorce proceedings; and

4) make "friendly parent" provisions a factor when there is an abusive parent.

Expresses the sense of the Congress that:

1) child abuse and child sexual abuse allegations should be investigated regardless of when raised or whether the child has recanted the allegation;

2) States should be more protective of victims of family and domestic violence in custody and visitation determinations and not order mediation, couples counseling, shared custody, mutual orders of protection, unsupervised visitation, or other measures when they may endanger such victims; and

3) States should provide training in domestic violence and child abuse, as they impact custody, child support and visitation determinations, to all professionals who interact with children and parents.

CRC on Internet

Bruce Kaskubar, CRC coordinator in Minnesota, maintains CRC's site on the Internet Worldwide Web. For those of you with a browser, the home page's URL is http://www.vix.com/crc/ Bruce likes to field questions about CRC from individuals, as well as members of other groups.

CRC's "Joe Congresswatcher" says:

Resolutions only ask the states to do something, they do not require the states to act.

However, experience shows that if a Resolution passes Congress, many states will pass laws that carry out the intent of the Resolution.

It is vitally important to get this Resolution dropped from the Violence Against Women Act.

Not changed or amended, but dropped totally!

Depending on when Congress takes up consideration of H.R. 3514, we may be in for a long fight on this resolution. But we must wage the effort now, and continuously. Write early and often.

To CRC Supporters: Write letters or make phone calls to your House member (see addresses below).

If you do not hear from your House member within several weeks, write again. If the response is not what you want to hear, follow up with another polite, but firm letter stating your views.

Let CRC know of the responses you receive.

We thank CRC members who have already written, and who have sent us copies of their letters.

Keep writing! And get your friends and neighbors to write!

Consider sending a copy of your letter to House Speaker Newt Gingrich and Majority Leader Dick Armey.

The more letters the better!

Thank you.

WRITE!

Dear (your House member), Washington, D.C. 20515

Please oppose Sec. 241 of H.R. 3514. Family violence must be eliminated, but allowing one parent to veto joint custody is not the way to do it. Congressman Tom Davis withdrew his support for this Resolution. I ask you to do the same. Sec. 241 is anti-child and anti-family. Thank you.

Sincerely,
Sign your name, address, and phone number.

Standby Guardianship Would Bypass Parents

A parent who is ill or dying would be allowed to avoid laws in all 50 states that automatically give custody to the other parent, under a resolution recently passed by Congress as part of the adoption law. The resolution is a "Sense of the Congress" that asks the states to pass laws allowing a parent who is chronically ill or near death to designate a "standby guardian" for the parent's minor children.

This would allow the ill or dying parent to bypass the other parent, something that is not currently allowed in any state.

"We must fight this provision to bypass custody to the other parent," said CRC President David L. Levy. "We must stop this attempt to bypass the natural parents of the child."

The sense of Congress, which was introduced by Rep. Carolyn Maloney (D-NY), states in its entirety:

Write to Congress!

Write to House members at:
Representative —
(name of your Representative)
House of Representatives
Washington, D.C. 20515

Write to Senators at:
Senator — (name of your Senator)
U.S. Senate
Washington, D.C. 20510

Congress Seeks to Stop Custody from Going to the Other Parent if Custodial Parent Dies or is Ill

Sec. 403. "Sense of Congress Regarding Standby Guardianship."

"It is the sense of Congress that the States should have in effect laws and procedures that permit any parent who is chronically ill or near death, without surrendering parental rights, to designate a standby guardian for the parent's minor children, whose authority would take effect upon-

1) **the death of the parent;**
2) **the mental incapacity of the parent; or**
3) **the physical debilitation and consent of the parent."**

CRC is asking child and family advocates to write to Congress to make a "technical correction" (which Congress often makes to passed legislation), so that it would read as follows:

"It is the sense of Congress that the States, without changing any state laws and procedures that gives custody first to the other parent, should have in effect laws and procedures that permit any parent who is chronically ill or near death, without surrendering parental rights, to designate a standby guardian..."

SAMPLE LETTER

Dear —

I strongly object to Congress interfering with a child's right to two parents.

I refer to Sec. 403 of the adoption law (PL 105-89) that urges the states to bypass laws and procedures in all 50 states that give custody to the other parent in the event of the death or incapacitation of a parent.

Please introduce a technical correction to the "Standby Resolution" passed as part of the Adoption Law to make certain that there is no "bypass" of the other parent.

The technical correction should state: "It is the sense of Congress that, without changing any state laws or procedures that give custody to the other parent, the States should have in place laws and procedures for guardianship of children of a parent..."

Children need their fathers and mothers. They do not need Congress trying to interfere with their moms and dads.

Please let me know if you will introduce the "technical amendment" to the resolution.

Signed

WE NEED A THOUSAND LETTERS, FAXES AND PHONE CALLS TO CONGRESS ASKING THEM TO MAKE THE 'TECHNICAL CORRECTION' TO THE STANDBY GUARDIANSHIP RESOLUTION.

SEND COPIES OF YOUR LETTERS TO CRC, INCLUDING COPIES OF REPLIES FROM CONGRESSMEMBERS.
YOUR LETTERS COUNT! DON'T COMPLAIN–WRITE!

ORDER CRC BOOK AND MAKE MONEY!

CRC has bulk copies of the now out-of-print CRC Book *The Best Parent is Both Parents*, which we can offer to you at a discount.

Order bulk copies (10 or more) of the book for only $4 a copy, resell the copies for the list price of $10 each, and make a profit for you or your organization! Contact CRC for more information. S/H $4 for the 1st copy, $1 for ea. addl'l copy.

BEST COPY AVAILABLE

Results of Research

Law Professors Agree that Joint Physical Custody Lowers the Divorce Rate

Two law professors have independently found the same correlation discovered by CRC, that joint physical custody lowers the divorce rate.

In an article in the Indiana Law Journal, Spring, 1998, Vol. 73, No. 2, Margaret Brinig and F. Buckley, law professors at George Mason University, Fairfax, Virginia, concluded, as did CRC, that federal government data shows that the states with the highest levels of physical joint custody awards had the lowest divorce rates.

CRC had previously found that government data showed that the states with the highest number of physical joint custody awards in 1989 and 1990 (more than 30% of awards) have shown significantly greater decline in divorce rates in the following years from 1991 through 1995, compared with other states.

On the other hand, states that favored sole custody had more divorces involving children.

Data from the National Center for Health Statistics was available from 19 states on divorce and physical joint custody. CRC evaluator of research Richard Kuhn uncovered this correlation while reviewing published government data. The CRC report was co-authored by John Guidubaldi, Ed.D., of John Carroll and Kent State Universities.

A synopsis of the report appeared in the Fall 1997/Winter 1998 issue of *Speak Out for Children.*

The states with the highest overall ranking are 1) Montana, 2) Kansas, 3) Connecticut, 4) Idaho and 5) Rhode Island.

"Montana, Kansas and Idaho have statutory preferences or presumptions for joint custody, while Connecticut and Rhode Island do not. We are looking into what is favorable in Connecticut and Rhode Island to produce these positive effects," said Kuhn. "Even in Connecticut, Idaho and Rhode Island, it is the 90% of parents who reach voluntary divorce agreements without court battles that help make shared parenting a reality for many children."

Joint physical custody means that a child spends at least a third of the time with a parent on a year-round basis, although awards of up to 50/50 shared parenting time are not uncommon.

In another article in that same issue of the Indiana Law Journal, Saul Levmore, University of Virginia Law School professor, discussed the significance of nearly mandatory joint custody. "If parents can not bargain away from joint custody before they go to court, there will be no incentive to threaten custody" in order to manipulate property settlements, concluded Levmore.

In another article in the same Journal, Ann Laquer Estin, a law professor at the University of Colorado, wrote "shared parenting during marriage and after divorce reflect new social and economic circumstances and represent a shift away from the older norms with more clearly defined gender roles."

Copies of the 11-page CRC report are available to CRC members, upon receipt of a stamped (55 cent) self-addressed envelope. Non-members send such an envelope with $5 for handling. CRC membership is $35 a year.

National Parents' Day Sunday, July 26

The fourth annual National Parents' Day will be observed Sunday, July 26. "This is a day to honor parents and to uplift and support them in the valuable role they play in the rearing of their children," said Belinda Rollins, director of the National Parents' Day Coalition (NPDC).

NPDC was the catalyst behind the Congressional resolution that designated the fourth Sunday in July each year as National Parents Day. To observe National Parents' Day, people are encouraged to have activities and events in their communities.

For information and guidelines, call NPDC at 202/530-0849, or toll free, 1-888-359-6616.

"The ABC's of Parent Involvement in Education," a 176 page book, was published by NPDC in cooperation with WJLA-TV (Channel 7), Washington, D.C., and is available in all 7-11 convenience stores in the Washington, D.C. area. To obtain a copy, send $3 which includes shipping and handling, to NPDC, 1025 Connecticut Avenue N.W., Suite 615, Washington, D.C. 20036. CRC is mentioned in the book as a national parenting organization.

White House Meeting

CRC was authorized to organize a meeting at the White House with Domestic Policy Advisors to President Clinton. David L. Levy of CRC was authorized by White House officials to organize the 2-hour meeting, held April 1, 1998, with Domestic Policy Advisors Andrea Kane, Diana Fortuna, and others.

In addition to Levy, advocates for the 2-parent family who attended the meeting were

John Guidubaldi, Ed.D., researcher on children and families;
Ronald K. Henry, Washington attorney;
Joel Bankes, director of the National Child Support Enforcement; Association, who ran an access demonstration grant program in Arizona;
David Arnaudo, who supervises the federal access/visitation grants;
Belinda Rollins, director of the National Parents' Day Coalition;

CRC legislative assistant/intern Karoline Hay also attended.

Attendees made several suggestions to strengthen the 2-parent family, with a special focus on helping the annual 1 million children of divorce. A subsequent White House meeting is planned.

Bills in Congress

The bills described below have been introduced in the current session of Congress. H.R. refers to the House of Representatives, S. refers to the Senate. The phone number of the committee handling the bill is provided below; you may call to check on the status of legislation, or express your views. It is even more important to let your own Representative and Senator know your views. The capital switchboard, which can connect you with the offices of all members of Congress and committees, is (202) CA4-3121 (224-3121). This is a 24-hour switchboard that can provide you night and day with names, addresses, and direct phone numbers of all members of Congress. During normal weekday business hours, the switchboard can connect you with any Congressional office on Capitol Hill. To save on expenses, you can contact the Congressmembers' local branch office in your district. BETTER YET, WRITE A LETTER AS DESCRIBED BELOW.

H.R. 2925, formerly H.R. 2503, the "Deadbeat Parents Punishment Act of 1997", introduced by Rep. Steny Hoyer (D-MD) and Rep. Henry Hyde (R-IL) to provide a felony violation for an unpaid child support obligation "to a child who resides in another state." The felony appears to apply even if the custodial parent is the one who makes the move with the child to another state, and kicks in if the obligation is more than $5,000 owed for more than 1 year, or more than $10,000 owed for more than 2 years.

The bill has passed the House Judiciary Committee, and is awaiting a vote on the House floor. The Senate has already passed a similar bill, sponsored by Sen. Herbert Kohl (D-WI), so the only opportunity to offer a "balancing amendment" would be on the House floor. The balancing amendment would be to provide similar penalties for failure to honor court-ordered visitation. We also ask that the felony apply only if the non-custodial parent is the parent to cross state lines with the intent to avoid child support obligations.

S. 97, introduced by Sen. John Kerry (D-MA), to amend the Internal Revenue Code to require the IRS to collect financial child support through wage withholding and to eliminate State enforcement of financial child support obligations other than medical support obligations. Referred to the Senate Finance Committee, (202) 224-4515. Similar to H.R. 2189, introduced by Rep. Henry Hyde (R-IL), referred to Human Resources Subcommittee of House Ways and Means (202) 224-4515. Urge your House member or Senator to offer a "balancing amendment" to provide IRS enforcement of any financial penalties for access denial that any state may impose, such as fines or court costs for missed access, for the same reason as stated in the note to H.R. 2503 above.

S. 1075, introduced by Sen. Christopher Dodd (D-CT), to provide demonstration projects to establish minimum financial child support payments. Referred to Finance Committee (202) 224-4515. Urge your House member or Senator to offer a "balancing amendment" to establish minimum access/visitation/parenting time of at least a third of the time on a year-round basis, because the Census Bureau says that parents with at least a of the third of the time (joint physical custody) with their children pay up to twice as much in financial child support as parents with no access to their children.

H.R. 869, introduced by Rep. Christopher Cox (D-CA), to require a parent who is delinquent in financial child support to include his unpaid obligation in gross income and to allow custodial parents a bad debt deduction for unpaid financial child support payments. Referred to Human Resources Subcommittee of House Ways and Means, phone (202) 244-4515. Urge your House member or Senator to offer a "balancing amendment" to include unpaid visitation penalty in gross income and to allow non-custodial parents a bad debt collection for unpaid visitation fines or penalties.

H.R. 399, introduced by Rep. Michael Bilirakis (R-FL) to prohibit the provision of financial assistance by the Federal Government to any person who is more than 60 days delinquent in the payment of any financial child support obligation. A hearing was held on this bill in November, 1997, by the Committee on Government Reform and Oversight (202) 225-5074. Write your House member or Senator recommending "balancing" this bill with a provision prohibiting the same assistance to anyone 60 days delinquent in honoring a court's access/visitation order.

Write to Congress!

Write to House members at:

Representative —
(name of your Representative)
House of Representatives
Washington, D.C. 20515

Write to Senators at:

Senator — (name of your Senator)
U.S. Senate
Washington, D.C. 20510

Amicus Briefs

If your case is on appeal, and you would like CRC to consider writing an amicus curaie (Friend of the Court) brief, contact CRC. CRC can not handle cases at the trial level, and we do not write the main appeal brief. An amicus brief is a supplemental brief, telling the court why this case is of significance not only to the parties in the case, but to other children and families as well. We generally need 30 to 60 days before the filing deadline. The writing of CRC amicus briefs is supervised by CRC General Counsel Michael L. Oddenino.

Congress Considers $2 *Billion* for Fatherhood

Archer

Shaw

An historic bill introduced in Congress would provide $2 billion over the next five years to enhance fatherhood in the United States.

Called the "Fathers Count Act of 1998," the bill would provide grants to states "to encourage fathers to become better parents.

The primary sponsor of the Bill is Clay Shaw (R-FL), whose Human Resources Subcommittee of the House Ways and Means Committee has heard increasing testimony over the past several years about the need to encourage fatherhood, as a way to help children and families.

The bill, H.R. 3314, also has the enthusiastic support of Bill Archer (R-TX), chairman of the House Ways and Means Committee, which is the parent committee to Shaw's subcommittee.

In a statement January 20, 1998, announcing what he called this "exciting proposal," Archer said "The focus (of this bill) will be on private efforts, including those by religious and charitable groups. Uniting loving fathers with their families may turn out to be the best child care program of all...To pay for this program, I propose a cap on the attorney fees in the national tobacco settlement. The amount of money the trial lawyers are seeking is obscene, and I say that as an attorney. We shouldn't make lawyers richer; we should make children stronger."

If the bill becomes law, the states would use the $2 billion for projects which:

A) encourage unmarried or prospective fathers to get married, and encourage better parenting by fathers who are living with 1 or more of their children; or

B) include activities that help fathers obtain gainful employment, or help fathers increase their skills in order to qualify for higher paying jobs.

States could also use the funds to support projects which emphasize ways for fathers who do not live with 1 or more of their children to become better parents.

80 percent of the grant funds would have to be used to provide services for fathers whose income is in the bottom 50% in their states.

Although the main emphasis of the bill is to assist unmarried fathers, it is not merely a poverty bill. That is, a substantial number of fathers, divorced as well as unmarried, have incomes above poverty, yet are below 50 percent of the average income in their state.

The funds would be spread over five years, as follows:

$200 million for the first year, $300 million the second year, $400 million the third year, $500 million the fourth year, and $500 million for the fifth year.

Co-sponsors are David Camp (R-MI), Phil English (R-PA), J.D. Hayworth (R-AZ), and Wes Watkins (R-OK).

Wade Horn, director of the National Fatherhood Initiative, was a catalyst behind the bill, which originally provided $1 billion. Family advocate and Washington, D.C. lawyer Ronald K. Henry and other advocates met with Ron Haskins, majority staff director of the subcommittee, and urged an even higher commitment. Chairman Shaw responded by increasing the size of the bill to $2 billion.

The $2 billion would come from the tobacco settlement (if there is one), increased tax revenue to the Treasury, or other sources.

Shaw's subcommittee initially handled consideration of the Welfare Reform bill which became law in 1996, which provides a billion dollars in incentive payments to the states which do the best job in accomplishing the goals of welfare reform, part of which is to encourage family formation and family preservation, that is, marriage, and the strengthening of the family.

The Welfare Reform bill also contains the $10 million a year in access/visitation grants for all 50 states to share in.

Hearings have not yet been set for the "Fathers Count Act of 1998".

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11th National CRC Conference Draws Officials, Researchers

We continue with news from CRC's 11th national conference,
held October 23-26, 1997, at the Quality Hotel, Arlington, Virginia.

Comprehensive Analysis Suggests Children Better Adjusted in Joint than Sole Custody

by Robert Bauserman, Ph.D.
Instructor, University of Michigan

Bauserman

Joint custody has increased in popularity as an option in divorce since the 1970's. An ongoing debate between proponents and opponents of joint child custody has continued since this time as well.

Arguments in favor of joint custody have included claims about the benefits of maintaining relationships with both parents; opponents have argued that joint custody disrupts needed stability in a child's life and can lead to harm by exposing children to ongoing parental conflict.

During this time, an increasing body of research evidence on the adjustment of children in both types of custody settings has developed. Traditional literature reviews attempt to organize and make sense of a literature by reporting on the findings of a number of relevant studies, noting significant and nonsignificant findings, and forming holistic impressions of the literature reviewed.

However, such reviews are subject to a number of reviewer biases, including selective citation of studies; reporting of results consistent with the reviewer's perspective, combined with minimization or nonreporting of inconsistent results; and focus on statistical significance, rather than the magnitude of a relationship between variables.

A comprehensive analysis (called meta-analysis by researchers), reviews attempts to integrate research literature in a more systematic and quantitative fashion.

In a well-conducted meta-analysis, reviewers conduct a systematic search for relevant literature and inform readers of the procedure followed; carefully specify criteria for inclusion of studies; systematically integrate results of statistical tests performed by all researchers to identify over-all effects; and code important variables within studies that may moderate the relationship being examined.

The goal of the present study, of which these findings are a preliminary report, is to locate and integrate reports of tests of adjustment that directly compare children in joint custody and in sole custody settings following divorce.

Method

To be included in the current review, a study had to have both a group of children living in joint custody arrangements and a group of children in sole custody arrangements, and had to statistically report the outcome of some test comparing the two groups on some dimension of adjustment (e.g., social, emotional, etc.).

Studies that reported only qualitative descriptions of different groups, or that reported only on the adjustment of a sole custody or a joint custody group, were therefore excluded.

Similarly, studies that included both sole and joint custody children, and some measure of adjustment, were excluded if they did not report statistics (e.g., t-tests, correlations) that were suitable for calculating effect sizes.

Location of studies

Studies were located through electronic databases such as PsycInfo and Dissertation Abstracts, and from reference lists of relevant studies. Search terms such as "joint custody" or "custody" and "adjustment" were used in searching electronic databases.

Coding of studies

Studies were coded for specific statistical tests comparing adjustment in the joint custody and sole custody groups. Studies were also coded for additional qualities such as date; sex of first author; published vs. unpublished status; proportion of boys in sample; proportion of mothers vs. fathers with custody in sole custody groups; age of children in sample at parental separation; current age; and type of adjustment measure used (emotional, behavioral, etc.)

Analysis

Data analysis was carried out via the DSTAT program, published by Lawrence Erlbaum Associates (B. Johnson, 1989). When more than one effect size was obtained from a single study (e.g. results were reported separately for measures of both emotional and social adjustment), effect sizes were averaged to obtain a single effect size for that study.

Results

A total of 21 studies, 8 published and 13 unpublished, were included in the meta-analysis (all unpublished studies were doctoral dissertations). These studies dated from 1982 to 1994.

Adjustment in joint vs. sole custody

Across all 21 studies, joint custody children scored higher on adjustment measures than sole custody children, $d = .3832$, 95% C.I. .28 to .49, $r = .1882$, $p < .00001$. A test of homogeneity indicated that the effect sizes were homogeneous, $Q(20) = 17.17$, $p = .64$, meaning that the effect sizes were consistent across studies.

Moderators

Tests of the various study qualities were conducted to determine if specific qualities of studies or of samples related to obtained effects sizes. None proved significant.

Continued on page 17

AVAILABLE ON AUDIO CASSETTE

Children's Rights Council's – 11th National Conference
Strengthening Families – Building Communities
October 23-26, 1997 – Washington, DC

____ CR-9701 Tips On How To Be Effective On Capital Hill–CRC Staff

____ CR-9702 Release Of New CRC report on "The Positive Effects On Joint Custody–David L. Levy, President CRC

____ CR-9703 What Organizations and Foundations Are Doing To Strengthen Families–National Child Support Enforcement Assn.

____ CR-9705 Differentiation Between the Parent Alienation Syndrome and Bona-Fide Abuse–Richard Gradner, M.D., Author

____ CR-9706 Capitol Hill Developments Affecting Children and Families: Welfare Reform, Kinship Care as an Alternative to Foster Care, and Access/Visitation–Ron Haskins, Staff Director, Human Resources Subcommittee of Ways and Means, and Other Congressional Staff

____ CR-9707 10 Tips on How to Build a Stronger, Bigger, More Financially Secure CRC Chapter–Bill & Lynn Huerter, CRC Nebraska

____ CR-9708 The Economic Impact of Divorce On Fathers and Mothers–Sanford Braver, Ph.D., Researcher

____ CR-9709 What's Next in Parenting Education–Elizabeth Hickey, Dir. Mediation and Divorce Center in Utah

____ CR-9710 The New Access/Visitation Grants for All 50 States to Share In. How Many Grants Have Been Awarded? What Can Groups Do Now? Grant Application Suggestions–David Gray Ross, Director of the Federal Child Support Office

____ CR-9711 The Positive Effect of Father Presence on Children's Educational Development–Christine Nord of Westat, Inc. and Nicholas Zill, Ph.D.. Moderator: Jim Cook, President, Joint Custody Association

____ CR-9713 Custody Litigation: How to Keep Your Children Out fo the Middle of Custody Battles–Gerald Solomon, Esq.

____ CR-9714 Deciding What's Best For the Children–Jayne Major, Parenting Ed., and Barbara Wagner, Custody Evaluator

____ CR-9715 How to Have a Win-Win Situation in Court–Several Judges, Moderator: Michael Oddenino, Esq., CRC Counsel

____ CR-9716 The Rediscovery of Parenting in America: Teresa Kaiser, Esq., Dir of MO Child Support Office and Access/Visitation Implementation

____ CR-9717 Guilt and Shame: The Difference for Parents–Nancy Heleno Obetz. How Joint Custody Reduces the Divorce Rate–John Guidabaldi, Ed.D.

____ CR-9718 Canadian Efforts for Balances of Children and Families–Anne Cools, Canadian Senator

____ CR-9719 National Trends in Family Law Legislation and How to Affect Them–Ron Henry, Esq., Washington, DC

____ CR-9720 Healthy Things You Can Do for Your Children and Yourself–Gary Santora, Washington, DC

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Man Enough, by Frank Pittman, 1993. (HB-239) Explores the changing relationships between fathers and sons, and mothers and sons.	23.95	11.00
The Kids Book of Divorce, by Eric Rofes, 1987. (SB-116) Unless you have experienced divorce first-hand, the pain and suffering a child endures cannot be fully understood.	10.95	5.00
Questions from Dad, by Dwight Twilley, 1994. (HB-240) An effective way to develop better relationships between children and their parents.	15.00	7.00
Second Chances, by Judith Wallerstein and Sandra Blakeslee, 1989. (HB-22) Based on ten year longitudinal study of the effects of divorce on adults and children.	17.95	8.00
Divorced Women, New Lives, by Ellie Wymard, 1990. (SB-241) Moving personal stories and insights about women who have been been divorced.	4.95	*Extra Low Price* **2.00**
How to Survive Your Parent's Divorce: Kids Advice to Kids, by Gayle Kimball, 1994. (SB-112) Easy-to-read one-of-a-kind guide for young people and their parents as they reshape their lives post-divorce.	9.95	4.00
For the Sake of the Children, by Kris Kline and Stephen Pew, 1992. (HB-216) Discusses how to share your children with your ex-spouse despite your anger. Kline is CRC's Florida coordinator.	18.75	9.00
Divorce Book for Parents, by Vicki Lansky, 1987. (HB-204) Warmly supportive and reassuring, this comprehensive guide speaks to all divorced and divorcing parents.	18.95	9.00
At My Father's Wedding: Reclaiming our True Masculinity, by John Lee, 1991. (HB-242) A ground-breaking work about the Father Wound and the pain a child can bear because of it.	10.00	*Extra Low Price* **2.00**
I Think Divorce Stinks, by Marcia Lebowitz, 1992. (SB-2012) Helps children recognize that it is appropriate to have negative feelings about divorce and to express those feelings.	4.95	2.00
The Divorce Decisions Workbook, by Margorie Engel, 1992. (SB-2006) Planning and action guide with 55 formulas to help you in four key decision areas: financial, legal, practical, and emotional.	15.00	7.00
The Myth of Male Power, by Warren Farrell, 1993. (SB-245) Rock solid and authentic decimation of the myth of male advantage ...sweeps aside stereotyped assumptions to uncover a deeper truth.	13.00	6.00
Why Men Are the Way They Are, by Warren Farrell, 1986. (SB-243) Provides insights into loved one's secret insights and desires.	5.99	3.00
The Liberated Man, by Warren Farrell, 1993. (SB-244) Reveals what every woman needs to know about men and what every man needs to know about himself.	5.99	3.00
Protocols for Sex Abuse Evaluations, by Richard Gardner, M.D., 1995. (HB-1007) Presents a new series of criteria and interview sequences to help examiners involved in sex abuse evaluations.	40.00	30.00
Discipline That Works, by Thomas Gordon, 1995. (SB-117) Dr. Gordon, founder of P.E.T. (Parent Effectiveness Training) shows ways to empower children to become self-reliant.	10.95	4.00
Parent vs. Parent, by Stephen Herman, 1990. (HB-209) Practical information on how to avoid "winning" and "losing" by protecting everyone's best interests.	20.95	9.00
The Adult Children of Divorce Workbook, by Mary Hirschfeld, 1992 (SB-2009) Visualization exercises help readers root our destructive feelings left over from their childhood.	11.95	5.00
The Divorce Workbook, by Sally Ives, David Fassler & Michelle Lasch, 1985 (SB-2010) How to facilitate honest and open communication between adults and children at the traumatic time of separation and divorce.	12.95	6.00
Negotiating Love: How Women and Men Can Resolve Their Differences, by Riki Robbins Jones, 1995. (SB-246) Points our destructive habits by both genders which, when realized, strengthen families and relationships.	10.00	*Extra Low Price* **3.00**

Here are *some* SPECIAL ADDITIONS to the

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CATALOG OF RESOURCES
for parents and professionals

FULL PRICE BOOKS, WITH VALUABLE INFORMATION!

The Parental Alienation Syndrome, A guide for mental health and legal professionals, by Richard Gardner, M.D. (1995) An authoritative work on the Parental Alienation Syndrome (PAS).
SB-1004 **$30.00**

Protocols for Sex Abuse Evaluations, by Richard Gardner, M.D. (1995) Presents a new series of criteria and interview sequences to help examiners involvedin sex abuse evaluations.
HB-1007 **$39.95**

Children Held Hostage: Dealing with programmed and brainwashed children, by Stanley Clawar, Ph.D. and Brynne Rivlin, M.M.S. (1991) Published by the ABA's Section for Family Law, this book discusses a 12-year study of programming and brainwashing during custody battles.
SB-1003 **$45.00**

50/50 Parenting, by Gayle Kimball, Ph.D. Almost 300 co-parents and 83 children report on life in Married, Divorced, and Step-family situations.
SB-113 **$9.95**

The Good Divorce, by Constance R. Ahrons, Ph.D. (1994). An outstanding book with a powerful message:
while divorce is not 'good,' there is a path to a 'good divorce' where parents cooperate fully for the sake of their children.
HB-2001 **$23.00**

My Mom and Dad are Getting a Divorce, by Florence Bienenfeld, Ph.D. (1984) Cartoon style, story form focuses on children ages 4-12. Helps them through the feelings of sadness, loss, hurt, anger, guilt, helplessness and fear triggered by a divorce.
SB-2004 **$3.95**

Ashes to Ashes...Families to Dust, by Dean Tong (1996) False Accusations of Child Abuse: A Roadmap for survivors which helps to answer their questions.
SB-2014 **$15.95**

Putting Kids First, by Michael Oddenino. A must read for caring parents and professionals, by CRC's General Counsel. Includes a children's bill of rights.
SB-248 **$9.95**

NEW!! The Fathers Emergency Guide to Divorce/Custody Battle, A Tour Through the Predatory World of Judges, Lawyers, Psychologists and Social Workers in the Subculture of Divorce, by Robert Seidenberg, with the legal insights of Williams Dawes, Esq. (1997). A powerful new book whose title says its all.
SB-247 **$15.00**

Family Evaluations in Child Custody, Mediation, Arbitration and Litigation, by Richard Gardner, M.D. (1989) In this update, Gardner proposes a three-phase system to remove child custody evaluations from courtroom litigation.
HB-603 **$35.00**

The Joint Custody Handbook, by Miriam Cohen (1991). A 1991 update of one of the classic books on joint custody. Contains sample parenting agreements.
HB-213 **$10.95**

Families, Crisis, and Caring, by Barry T. Brazelton (1989) America's favorite pediatrician talks about the involved father, parental rivalry, grandparenting, the loss of a parent, fathering alone, and other issues.
HB-219 **$18.00**

When Parents Kidnap, by Geoffrey Greif and Rebecca Hegar (1993) This book captures the experiences of parents searching for their children and abductors who have taken them; also makes public policy recommendations.
HB-901 **$22.95**

REPORTS

UPDATED 1997

Interference with Access (Visitation) as a Tort. Not a frequent remedy, but one that may be available. Arguments and case citations "The tort, as a charge against one person for invading the rights of another, is clearly reasonable as the interference with visitation is just that—one person taking something from another that he has no right to by law.
R116 **$10.00**

Challenging the Washington, D.C. Child Support Guidelines
Willing challenge filed by CRC and the Greater Washington Area Chapter of the National Women's Bar Association attacking the substance and procedure for the adoption of the D.C. guidelines.
LB-104 **$10.00**

SPECIAL STEPFAMILY BOOKS AVAILABLE

How to Win as a Stepfamily, by Emily Visher, Ph.D. and John Visher, M.D. (1982) The co-founders of the Stepfamily Association of America answer questions and give suggestions on how to make stepfamilies work.
HB-301 **$13.95**

Making it as a Stepparent, New Roles/New Rules, by Claire Berman (1986). Former president of the Stepfamily Association of America provides practical help and insights.
SB-304 **$7.95**

Stepfamilies Stepping Ahead, edited by Mala Burt for the Stepfamily Association of America.
SB-303 $9.95

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Title		Regular Price	Your Discount Price
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Between Love and Hate, A Guide to Civilized Divorce (SB-605A) by Lois Gold, M.S.W., 1992 Learn the fundamental skills of negotiation,	(HB)	24.95	20.00
conflict resolution and mediation, for everyone's good.	(SB)	13.95	9.00
Families Apart, by Melinda Blau, 1993. 10 Keys to Successful Co-Parenting. A blend of the author's own research, and that of other experts, and rich in	(HB) HB-223B	22.95	18.00
anecdotal information.	(SB) SB-223A	13.00	10.00
Fatherless America, Confronting Our Most Urgent Social Problem, by David Blankenhorn (1995). Why civilized societies need to uphold the idea of fatherhood.	HB-236	29.95	24.00
Another Way Home, by John Thorndike, 1996 A burning, beautiful memoire.	(HB)	24.00	10.00
Helping Your Children through Divorce, Florence Bienenfeld, Ph.D., (1995) A resource book depicting the impact of divorce on children.	SB-201A	11.95	7.00
Mom's House, Dad's House, by Isolina Ricci, Ph.D., (1980) Making shared custody work: How parents can make two homes for their children after divorce.	SB-202	10.00	8.00
Surviving the Break-Up, How Children and Parents Cope with Divorce, by Judith Wallerstein, Ph.D and Joan Kelly, Ph.D., (1980) A classic that is still valid in discussing the problems of children being raised by single parents.	SB-220	14.00	10.00
A Hole in My Heart, by Claire Berman, (1991) A book that will enable adult children of divorce to recognize the role they play in changing patterns in their lives.	SB-225	10.00	8.00
Don't Blame Me, Daddy, False Accusations of Child Sexual Abuse, by Dean Tong, (1992) This book provides help in distinguishing between true and false allegations of child sexual abuse.	SB-226	11.95	9.00
Loving and Listening, by Melinda Blau (1996) A Parent's Book of Daily Inspirations for Rebuilding the Family After Divorce	SB-235	13.00	10.00

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In the Courts

Move Outside the U.S.

A child's relocation with the custodial parent to another country may so "profoundly and adversely affect" the child's best interest as to justify denial of the relocation request, the California Court of Appeals, Second District, said March 23. The court also said that the non-custodial parent may, to all intents and purposes, be losing his right to maintain an ongoing relationship with the child. The case in question involved a mother who wished to take her two sons back to her native Australia, some 8,000 miles from their American father. However, the appeals court did not prohibit the move. Instead, it instructed the trial court to amend the order allowing the mother to move with the children, so that the order provided for measures to ensure that an Australian court would enforce the terms of the California judgment, including the visitation.

[Condon v. Cooper, Calif CtApp 2d Dist. No. B103574, 3/23/98]

Custody of Out-of-Wedlock Child

An unmarried mother did not have a superior right to the custody of her child over the biological father, once the child was legitimated, the Alabama Court of Civil Appeals decided November 7. The court concluded that the lower court, after reviewing the conflicting evidence presented by the parties, did not abuse its discretion in finding that it was in the son's best interest to award custody to the father.

[D.D. v. E.E.B., Ala CtCivApp. No. 2961074, 11/7/97]

Interference with Parenting Time (Visitation)

A mother's continual interference with the father's visitation rights constitutes a material change in circumstances sufficient to support a change of custody, the Wyoming Supreme Court held December 5. The court acknowledged concern about transferring custody to the father, because he already lived in a household with four children from his present wife's previous marriage. However, the Supreme Court said, the mother's hostile attitude toward the father and unwillingness to facilitate the children's visitation with him supported a finding that it was in the children's best interests to be placed in his custody.

[Russell v. Russell, Wyo. SupCt, No. 97-2, 12/5/97]

Hague Convention on International Child Abduction

Although a mother had wrongfully removed two children from the family home in England, and taken them to Colorado, the Hague Convention on International Child Abduction does not require the return of the children, the U.S. District Court for the District of Colorado held on November 7. The court said that the children were already "settled" in their new environment. It noted that the convention provided a defense where more than a year had elapsed since the wrongful removal, and the children were "settled." The court said it was not making a ruling about where it was best for the children to live, but the convention "has essentially decided that, once settled in the new environment, to again uproot the children would be harmful."

[In re Robinson, DC Colo, No. 97-MW-994, 11/7/97]

Joint Custody and 'Offsetting' Support

A trial court properly refused to order a woman who shared custody of the children with the father to pay his child support during the three months of the summer when he had primary custody, the Tennessee Court of Appeals ruled on October 10. The father's support obligations was half of that prescribed by the guideline, because he had physical custody for 44 percent of the year. Another case in which a mother was given child support during a summer period when the children were with her was irrelevant to the case before it, the court said, because in this case the time the children spent with the father had already been factored into the child support arrangements.

[Morgan v. Morgan, Tenn CtApp, No. 03A01-9705-CV-00166, 10/30/97]

De Facto Custody and Child Support

A father who had custody of his child 69 percent of the time under a "custodial time" arrangement should not have been ordered to pay support to the child's mother, the New York Supreme Court, Appellate Division, Third Department, held October 30. The father was the "de facto" custodial parent, the court said, and the mother must pay support to him.

[Simmons v. Hyland, NY SupCt AppDiv 3dDept, No. 79125, 10/30/97]

Child Support and Evidence of Non-Paternity

A man who demonstrated that he was not the father of a child born to his wife during their marriage should not have been ordered to pay child support, the Michigan Court of Appeals held October 24. Voluntary assumption of the support duty was key in such cases, the court said. This had not happened in the case before it, the court said, because the man was "duped" into believing that he was the father for about two years between the child's birth and the divorce papers being filed.

[Bergan. v. Bergan, Mich CtApp, No. 198711, 210.24/97

The cases above are summarized from Family Law Reporter. They appear here by permission of the publisher, the Bureau of National Affairs, Inc.

FAMILY FACTS

Photocopy and distribute the "Family Facts" on the next page! Use as hand-outs when visiting the Legislature, disseminating information to the courts or the media, or as a resource for testimony and Letters to the Editor. "Family Facts" is a regular feature of this newsletter. Send us your verified facts (with actual copies, sources and dates) to "Family Facts," CRC.

Fathers Have Positive Impact on Children's Academic Performance

If non-resident fathers are involved in their children's school, children are more likely to get A's, to enjoy school, and to participate in extracurricular activities. Children are also less likely to have ever repeated a grade or been suspended or expelled if their non-resident fathers are involved in their schools.

These are the conclusions of a report by Christine Winquist Nord, Ph.D., and Nicholas Zill, Ph.D., of Westat, presented at the Children's Rights Council's 11th national conference, October, 1997.

The report used data from the 1996 National Household Education Survey (NHES:967). The section Nord and Zill reported at CRC focused on nearly 5,500 children living apart from their fathers.

From Nonresident Fathers' Involvement in Their Children's Schools, available from Westat, 1650 Research Blvd., Rockville, MD 20850, or from CRC, 300 I Street N.E., Suite 401, Washington, D.C. 20002.

Children Benefit Even When Parents Don't "Choose" Joint Custody

A new study answers critics of joint custody who claim that the benefits of joint custody are only valid for families where parents "choose" joint custody.

A survey of 13,000 families in two waves, 1987-1988 and 1992-1994, clearly indicates positive effects for joint legal custody. "My findings show that neither conflict nor marital happiness before separation affect the likelihood that parents will acquire joint legal custody at divorce," states Seltzer.

The fact that children benefited from joint legal custody even after taking account of the quality of family relationships and economic resources before separation provides further evidence that these positive effects are not simply the result of more cooperative parents choosing joint custody.

Seltzer concludes that children's advocates may seem to be right about joint legal custody. "At least on the dimensions of increased contact between nonresident fathers and children, joint legal custody may, as advocates claim, make the lives of children after divorce more similar to their lives before divorce or to the lives of their peers in two-parent households."

Report available through the internet at http://ssc.wisc.edu/cde/nsfhwp/home.htm, or Center for Demography and Ecology, University of Wisconsin-Madison, 4412 Social Science Bldg, 1180 Observatory Drive, Madison, WI 53706-1393.

Risks in Single-Parent Homes

Living in a single-parent home appears particularly risky for sons. The authors of this study report that "male children from one-parent families were found to have more illnesses than female children... Furthermore, for both sons and daughters, living with an unmarried mother often means poorer mental health."

Source: Gong-Soong Hung and Shelly I. White-Means, "Do Working Mothers Have Healthy Children?" Journal of Family and Economic Issues 14 (1993): 163-181.

From Volume 13, Number 1, Spring 1998, *Speak Out for Children*, newsletter of the Children's Rights Council, 300 "I" Street N.E., Suite 401, Washington, D.C. 20002-4389
phone (202) 547-6227

More 11th National CRC Conference Highlights

Continued from page 10

Published vs. unpublished studies

Effect sizes across published studies did not differ significantly from those obtained from unpublished studies, QB(1) = .466, p = .495.

Female vs. male first authors

Sex of first author for each study did not relate to effect sizes, QB(1) = 1.724, p = .189.

Age of parental separation

Age at parental separation did not moderate the relationship between custody and adjustment, Z = .1776, p = .86.

Current age of child/adolescent

Current age did not moderate the relationship between custody and adjustment, Z = .061, p = .95.

Discussion

The results strongly indicate that children in joint custody are better adjusted, across multiple types of measures, than children in sole custody settings. Furthermore, this relationship is not significantly affected by several important characteristics of the sample or of the study, such as age of children at time of study or published vs. unpublished status.

The results do not mean that joint custody is preferable in all situations. For instance, when one parent is clearly abusive or neglectful, a sole custody situation may be the best solution. Nevertheless, the current findings offer support for the national trend toward increases in joint custody awards and legal presumption of joint custody, as serving the interests of children.

Extensive further research needs to be done. Additional studies need to be incorporated into the meta-analysis, more study qualities examined, and measures of adjustment in specific areas (e.g. family relations, emotional adjustment) separately examined as well. Thus, the findings reported here should be regarded as preliminary.

Studies included in the above meta-analysis

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3. Cowan, Diana B. (1982). Mother custody versus joint custody: Children's parental relationships and adjustment. Doctoral dissertation, University of Washington.
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12. Lakin, Michael J. (1994) Domestic migrations: Effects on youngsters of postdivorce joint physical custody circumstances. Doctoral dissertation, University of Michigan.
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14. Livingston, Judith Ann (1984). Children after divorce: A psychosocial analysis of the effects of custody on self-esteem. Doctoral dissertation, University of Vermont.
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Continued on page 21

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Around the Country

Targeting of Deadbeat Parents Misfires

Virginia state officials are serious about tracking down child-support dodgers, but in their zeal, they targeted some innocent parents, too.

When the state notified 39,700 parents in June, 1997, that they would lose their hunting and fishing licenses if they didn't make support payments, the list inadvertently included about 2,300 people who owed no money or who had already begun making payments.

Ronald E. Wright, whose legal obligation to pay child support ended in June, 1996, was among the parents who received such a letter. The state also informed at least one major credit bureau that Wright was $2,444 behind in payments.

"It was an incredible blunder," said Wright, who lives in Columbia, S.C. and had paid $200 a month for 16 years. "To have faithfully paid my child support for all that time, I was livid."

A Fairfax, Virginia, court had closed his support case when his daughter, Rebecca, now 19, had turned 18 and graduated from high school.

"I never had any problems," said Robyn Stallman, Wright's former wife who lives in Fairfax. "He sends her money now toward her tuition for community college."

To try to clear his name, Wright wrote letters to Nick Young, assistant commissioner for child support enforcement; state Social Services Commissioner Clarence H. Carter; Robert C. Metcalf, former secretary of health and human resources; and others.

Young said child support officials have properly resolved the matter for the other parents erroneously targeted as so-called deadbeats. Wright was the only parent to have false information forwarded to a credit agency, he said.

Wright has received letters from three major credit bureaus, the Virginia Department of Taxation, and the Department of Game and Inland Fisheries confirming that his record has been cleared.

But he questions how efficient the state's effort to catch severely delinquent payers can be if taxpayer dollars are being wasted.

Young disagreed. "We have a pretty good track record on credibility," he said. "We're talking 94 percent to 97 percent accuracy. In most schools I went to, that was an A."

However, tracking down parents who refuse to consistently pay support for more than 541,000 Virginia children is a challenge, Young conceded.

(adapted from the Richmond Times-Dispatch, Jan. 27, 1998)

Summit on Fatherhood in D.C. June 15

The 2nd national summit on Fatherhood, "Moving from Rhetoric to Action" will be held June 15, 1998 at the J.W. Marriott Hotel, 14th and Pennsylvania Avenues N.W., Washington, D.C. Sponsored by the National Fatherhood Initiative, the Summit will feature speeches in the morning from national leaders in various sectors, including education, labor, policy, and sports. The afternoon will consist of workshops to develop individual sector plans. About 300 people representing various national organizations have been invited to the events. Co-conveners include the bi-partisan Congressional, Senate, and Gubernatorial Task Force on Fatherhood Promotion, and other national organizations. For information, call NFI at 301/948-0599.

New York Family Conference June 6

After Divorce: Fathers, Mothers, Children and the Law—Where Are We Going, is the subject of a one-day conference scheduled for Saturday, June 6, 1998 at the Mt. Sinai College of Medicine, 101st Street and Madison Avenue, in New York City. The sponsor of the conference is the On Step Institute for Mental Health Research, 169 East 74th St., New York, which is headed by Dr. Ed Stephens, an advocate for better ways to handle family re-organization after divorce. To register, phone conference manager Vivian Mendelsohn, 212-865-4326. Registration is $100,, students $50. Speakers will include David L. Levy, Karen DeCrow, Andrew Schepard, Robert Fay, A. Jayne Major, and New York State Assemblyman David Sidikman.

CRC Romances!

Lynn and Joseph

Several years ago, Cindy and Michael Ewing met at a CRC conference and subsequently got married. Now we hear of other love-birds who met at CRC conferences! Long-time CRC national office secretary Lynn Nesbitt met her future husband Joseph Ephraim at a conference, and last year, the two got married. Lynn is now Lynn Ephraim.

Noted custody evaluator Barbara Wagner, Ph.D. met Murray Steinberg, mediator and Richmond, VA, CRC chapter head at a conference, and the two are to be married in the Fall of 1998. Barbara plans to move her practice from California to Richmond. The West Coast's loss will be the East Coast's gain!

Murray and Barbara

Anybody else?

Inside CRC

Anderson receives award

In April, 1998, CRC presented an award (an engraved plaque) to Frank E. Anderson, CRC Massachusetts coordinator, who is former international president of Parents Without Partners, Inc. Frank, who is largely confined to bed because of illness, and can move about only with the aid of a wheel chair, arranged, in past years, meetings with federal officials at which he and CRC officers discussed ways to help children and parents. He was also a catalyst behind PWP deciding to affiliate with CRC. "Anderson's vision, leadership and political savvy has helped many children and families," said CRC President David L. Levy.

Media Notes

CRC receives phone calls from the media on a regular basis. This has resulted in recent mention of CRC and our views in numerous media outlets, including the *Washington Post*, the *Washington Times*, as well as interviews on radio stations such as WPRN in Detroit, Michigan, and KCRW in Los Angeles

Intellectual Property Protection

Charlie Ruggiero, who obtained trademark protection for the name and logo "Children's Rights Council" and the name and logo for our newsletter "Speak Out for Children" is a specialist in trademark, patent, copyright, and licensing law. He is a partner in the law firm of Ohlandt, Greeley, Ruggiero and Perle, 1 Landmark Square, Suite 903, Stamford, CT 06901, telephone (203) 327-6067.

Beat the Tax Man: Contribute to CRC

If you wish to consider leaving a bequest or property to CRC, please let CRC know of your generosity.

Contact your accountant or tax advisor on the best way to structure any such bequest.

Or contact CRC, and we can suggest an accountant or tax advisor to assist you..

Donors are Appreciated

CRC thanks everyone who contributes to CRC in the charity drive that takes place in all federal government offices every Fall. CRC is listed as number 1513 in the Children's Charities of America listing, which is part of the Independent Charities of America. We also thank those who contribute to CRC in the Washington, D.C., and San Francisco (Bay Area) United Way campaigns.

We also thank those who contribute to CRC through their United Way in some other part of the country, where we are not listed, but where employers may sometimes allow employees to designate CRC.

CRC depends on volunteer help and contributions for its existence.

If you wish to make your tax-deductible contribution directly to CRC, send it to CRC, 300 "I" Street N.E., Suite 401, Washington, D.C. 20002.

New Study

Continued from page 1

Seltzer used data from the National Survey of Families and Households (NSFH), a survey of more than 13,000 families that collected data in two waves, 1987-1988 and 1992-1994. Because the NSFH included data on the quality of family relationships, it was possible to study the effects of joint legal custody while controlling for preseparation family relationships.

Seltzer identified data on families that had separated or divorced between the first and second survey periods.

Says Seltzer: "Controlling for the quality of family relationships before separation and socioeconomic status, fathers with joint legal custody see their children more frequently, have more overnight visits, and pay more child support than fathers in families in which the mothers have sole legal custody.

Remarkably, Seltzer found that the level of conflict before separation had no impact on the prospects of parents obtaining joint legal custody at divorce. She says, "My findings show that neither conflict nor marital happiness before separation affect the likelihood that parents will acquire joint legal custody at divorce."

The fact that children benefitted from joint legal custody even after taking account of the quality of family relationships and economic resources before separation provides further evidence that the positive effects are not simply the result of more cooperative parents choosing joint custody.

Seltzer proposed a "role oriented" explanation for a reduction in visitation interference with joint legal custody. She says that "By clarifying that divorced fathers are 'by law' still fathers, parents' negotiations about fathers' participation in child rearing after divorce may shift from trying to resolve whether fathers will be involved in child rearing to the matter of how fathers will be involved."

Seltzer concludes that children's advocates may seem to be right about joint legal custody. "At least on the dimensions of increased contact between nonresident fathers and children, joint legal custody may, as advocates claim, make the lives of children after divorce more similar to their lives before divorce or to the lives of their peers in two-parent households."

Seltzer's report is entitled "Fathers' by Law: Effects of Joint Legal Custody on Nonresident Fathers Involvement with Children."

The report can be obtained through the internet at http://ssc.wisc.edu/cde/nsfhwp/home.htm, or from the Center for Demography and Ecology, University of Wisconsin/Madison, 4412 Social Science Bldg, 1180 Observatory Drive, Madison, WI 53706-1393.

Chapter News

Several family oriented bills have been enacted into law in New Jersey. All the references are to New Jersey Statutes Annotated.

The new laws:

1) Provide divorced parents access to children's medical, dental, insurance, child care, and educational records, Sec. 9:2-4.2.

2) Provide sanctions for judges to award counsel fees, community service, or compensatory time for the time missed with the child, monetary compensation for costs included when a parent fails to appear for scheduled visitation and other economic sanctions on a case by case basis, Sec. 2A:34-23.3.

3) Provides upon the filing of the separation complaint, where custody or visitation or support of a minor child is an issue, the party who has maintained all or a share of insurance coverage, shall continue to maintain such coverage or share thereof, Sec. 2A:34-23d.

4) Changing the term "visitation" to "parenting time" in all sections of New Jersey statutes where the word "visitation" now appears (that term appears primarily in Titles 2A and 9).

5) Requires notification to the parent paying alimony of the re-marriage by the ex-spouse receiving alimony. Sec. 2A:34-25.

6) Amends equitable distribution statute to clarify that the court must consider both parents' responsibilities for the children. Sec. 2A:34-23.

7) Adds new factor to equitable distribution statue concerning the extent to which a parent deferred achieving their career goals. Sec. 2A:34-23.1.

The New Jersey Council for Children's Rights (NJCCR), a chapter of CRC, headed by Dominick Romano, played a key role in passage of a substantial amount of the above legislation. Sara Flohr and Anju Jesani play key roles in NJCCR.

"Judge Judy" Inspires D.C. Chapter

"Judge Judy," in her court TV show April 13, 1998, talked about children who were being alienated and victimized against the non-custodial parent during divorce and separation. Judge Judy listened as a father, a guest on the show who has 2 children, explained that he wasn't getting his court-ordered visitation. The custodial mother, who was also on the show, said the children did not want to see their father and she would not make them.

As the story unfolded, Judy told the children's mother that she did little or nothing to encourage visitation, and that the children wanted a relationship with the father, but were afraid to seek a positive relationship with him after all of the negative things that were said about him in her home.

Judge Judy also said sometimes children hold back from saying or wanting to see the non-custodial parent for fear of being punished by the custodial parent.

"Judge Judy was right on the money," said D.C. chapter coordinator Frank Banner. "Too often those are the cases by which many children and their parents find themselves in. If we are to find solutions in cases involving our children, and if the concept is that the best parent is both parents, maybe there have to be more Judge Judy's in our judiciary system. Whether the non-custodial parent is the mother or the father, Judge Judy's advice is sound.

"In Washington," said Banner, "our CRC chapter is working with families and the courts for positive change. We understand that a journey of a thousand miles begins with a single step."

Judge Judy is shown in 38 states on Fox TV. To ask if your case can appear on the show, contact Judge Judy, Box 949, Hollywood, CA. 90078, phone 1-888-800-5839.

Parent Ed Seminars Working in Tennessee

Judges in six Tennessee judicial districts, including Nashville, Memphis, Chattanooga, and Knoxville, reported positive results in implementation of the 1996 Tennessee Family Preservation Act.

The judges reported in February, 1998, to a legislative committee in Nashville on the Act, passed by the legislature, which require 4 hours of educational parent seminars for separating parents. The Act also requires parents to draw up parenting plans, both temporary and long term, for the raising of their children.

Any judge can use the program now in the state, but is not required to.

The legislature will decide in 1999 whether to extend this program to the entire state.

David Courson, CRC's Tennessee coordinator, led an effort by CRC of Tennessee, which was joined by other groups, including Dads Against Discrimination, I Love My Children, Too, that worked for passage of the act.

State Rep. Robert Patton was the chief legislative sponsor of the new law.

Help Us Help You!

CRC needs equipment:

- ★computers
- ★typewriters
- ★photocopy machines
- ★other office equipment

CRC needs volunteers to:

- ★do filing
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- ★layout Newsletter
- ★answer the phone
- ★work with celebrities
- ★work on the internet
- ★advocacy
- ★information
- ★fund-raising
- ★what else would you like to do?

Contact the national office or the chapter nearest you to ask about their needs.

THANK YOU.

1999 Conference

CRC will soon issue a call for papers for presentation at the 12th national CRC conference to be held in the Spring of 1999 in the Washington, D.C. area.
For information,
contact Michael Ewing,
757-543-5993.

Thanks to everyone who observed *Children's Day* on the first Sunday in June, June 7, 1998. Next year, *Children's Day* will be on June 6, 1999.

Meta-Analysis

Continued from page 17

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Tie Purple Ribbons, Hold Vigils During Equal Parents' Week July 27-August 2

by Patti Diroff,
CRC Coordinator, Equal Parents Week

I would like to extend a heartfelt thank you to everyone in CRC for your participation in Equal Parents' Week last year.

This year, Equal Parents Week (EPW) takes place July 27-August 2, 1998.

As you probably know, CRC has taken the role of national sponsor for Equal Parents Week.

The main activity of EPW is wearing purple ribbons and tying them everywhere they can be seen in public. The purpose of Equal Parents' Week is to send the message that parental rights and responsibilities must be shared equally by unmarried, separated or divorced parents.

Equality is not just a legal concept. It is a civil rights movement, and a human rights movement. The right of both parents to function as parents, and the right of children to be raised and nurtured by both parents, are rights inherent and inalienable to all families, whose existence depend on equal sharing of parental rights and responsibilities.

It is long overdue that "the best interests of children" can best be met if we maximize the ability of both parents to raise and nurture their children.

Equal Parents' Week follows National Parent's Day (NPD) in furtherance of their mutual objectives to strengthen the role parents play in children's lives.

CRC's main activity will be to hold candlelight vigils nationwide. The chapters decided during the chapters' regular bi-monthly conference call in April, to hold the vigils Wednesday, July 29 at 8 p.m.

The New Jersey CRC chapter, the New Jersey Council for Children's Rights, led by Dominick Romano, deserves credit for holding nine candlelight vigils throughout New Jersey last year.

If you cannot participate in a vigil, please burn one or more candles inside your home on July 29 at 8 p.m. for 10 minutes, along with tying your purple ribbons all week.

If you have questions,
please contact me at 909-591-3689.
Thank you

PLEASE JOIN US IN SENDING A MESSAGE THROUGHOUT THE U.S. TO REFORM OUR LAWS:

EQUAL PARENTS' WEEK

July 27, 1998 - August 2, 1998

Pin a purple ribbon (dark or light) to your shirt, display it visibly on your car, your home or anywhere...where everyone can see, as a symbol that we want EQUAL responsibility for and EQUAL access to our children, motivated by our love for our children and determination to be meaningfully involved in their lives.

National Affiliate Organizations and Chapters

National Affiliate Organizations

Mothers Without Custody
(MW/OC)
P.O. 77. Box 27417
Houston, TX 77227-7418
Joint membership in MW/OC
and CRC: $35.00 a year

Parents Without Partners
(PWP)
Pat Boyd, president
401 N. Michigan Avenue
Chicago, IL 60611
312/644-6610
Members of PWP join CRC for
only $20.00 a year.

Stepfamily Association of
America (SAA)
Margorie Engel, president
650 J Street, Suite 205
Lincoln, Nebraska 68508
phone: 402/477-7837
Joint membership in SAA and
CRC: $35.00 for the first year

TELL ANY OF THE ABOVE ORGANIZATIONS THAT YOU WANT A JOINT MEMBERSHIP IN THEIR GROUP **AND *CRC*.**

CRC Chapters

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Strength (G.R.I.N.S.)
Kay and Ray Berryhill,
co-directors
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Corunna, IN 46730
phone: 219/281-2384

Iowa - See Nebraska/Iowa

Kentucky
Kevin O'Brien
CRC of Kentucky
P O Box 76266
Highland Heights, KY 41076
phone: 513/624-7223

Louisiana
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202/547-6227

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Mike Oddenino, CRC's General Counsel, has a new website. It can be reached at www.oanglaw.com

CRC WANTS CHAPTERS IN EVERY STATE!!!

For development of chapters in states that do not yet have any CRC chapters, contact national CRC office at (202) 547-6227, email crcdc@erols.com

Join CRC, then ask for a copy of the 100-page CRC booklet that explains everything you need to know about affiliation. The cost of the booklet is $15.00.

To form additional chapters in states that already have one or more chapters, contact the state coordinator or existing state chapter head listed above.

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CRC Guideline Available

Copies of the model child support guideline prepared by CRC that is based on a child having two parents are still available from the federal government.

This is the first time that the federal government has ever distributed a guideline that takes into account the direct expenditures on a child by the noncustodial parent.

To obtain a copy of the federal publication, phone (202) 401-9383, which is the Office of Child Support Enforcement's Child Support Reference Center, located at 370 L'Enfant Promenade SW, Washington, D.C. 20447. There is no charge for the publication, entitled "Child Support Guidelines: The Next Generation", as long as supplies last.

Copies of the guideline itself as published by the government are available from CRC for $5.00 for CRC members, and $10.00 for non-members, including shipping and handling.

If you would like to contact Don Bieniewicz, author of the guideline, for his assistance in getting this guideline adopted in the states, write him at 10004 Fairoaks Road, Vienna, VA 22181, contact him via email at DonBien@erols.com, or phone 703-255-0837 (evenings).

Updated Parenting Directory Available

The new update of CRC's International Parenting Directory is now available. Updated as of November, 1997, this 7th edition of the directory contains information on more than 1,200 groups and individuals across the country and abroad working in areas such as custody, access/visitation, and prevention of parental kidnapping. The Directory, an invaluable networking tool, is available in hardcopy or disc for $12 for CRC members, and $15 for non-members. CRC thanks Paul Robinson and Ed Mudrak for their hard work in updating this Directory. The hardcopy is updated once a year; the disc is updated frequently. Order from CRC and specify which version you want—hardcopy or disc.

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Summer/Fall 1998

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SPEAK OUT FOR CHILDREN®

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Anti-Joint Custody Resolution Derailed—So Far

Good news—so far. The anti-joint custody resolution which had been introduced in the U.S. House of Representatives by Congresswoman Connie Morella (R-MD) has suffered a setback. But it may not be totally dead.

As we reported in the last issue of "Speak Out for Children," the resolution had been included in Sec. 241 of H.R. 3514—the Violence Against Women Act II (VAWA). We encouraged everyone to write to their House member and encourage them to remove Section 241 of that bill. CRC interns also blanketed the hill to encourage Representatives to vote against that section.

On June 18, 1998, Congress passed various portions of the Violence Against Women Act, as an amendment to the Child Protection and Sexual Predators Act (H.R. 3494).

The anti-joint custody resolution was not part of the measure that passed the House!

Observers in Congress credited the success in stalling the anti-joint custody resolution to various factors, including:

- the initial support, then withdrawal of support, by Rep. Tom Davis (R-VA), who said he was against domestic violence, but for joint custody. The resolution urges states to give veto power over joint custody to the child's "primary caretaker parent" as a supposed way of preventing domestic violence;
- the opposition to the resolution of Rep. Virgil Goode (D-VA), who wrote a letter to Cindy and Michael Ewing, longtime CRC members, saying he supported joint custody when he was a member of the Virginia legislature, and had not changed his mind now that he was in Congress;
- the educational efforts of many CRC members, other supporters of joint custody across the country, and the efforts on Capitol Hill referred to above.

CRC will continue to closely monitor this anti-joint custody (shared parenting) resolution.

Rep. Morella could still seek to pass the resolution as part of the remaining sections of VAWA, if they are called for a vote. Or she could seek to pass the resolution on its own. So CRC supporters are urged to continue writing to your House member, asking the Representative to:

> notify Ms. Morella that they do not support the resolution, and to notify you that they have let her know of their opposition.

Then tell CRC!

The resolution in full states:

Sec. 241. Child custody, child abuse, and victims of domestic violence.

Expresses the sense of the Congress that for purposes of determining child custody, it is in the best interest of children to have a presumption that children should have their main physical residence with the primary caretaker parent unless that parent is un-

Continued on page 7

CRC 1998 Summer Interns
See story on page 5

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About CRC

The Children's Rights Council (CRC) is a nation-wide, non-profit IRS 501(c)(3) children's rights organization based in Washington, D.C.

CRC works to strengthen families through education and advocacy. We favor family formation and family preservation, but if families break up, or are never formed, we work to assure a child the frequent and continuing contact with two parents and extended family the child would normally have during a marriage. Our motto is "The Best Parent is Both Parents."

For the child's benefit, CRC favors parenting education before marriage, during marriage, and for parents who are unwed or separated. We work to demilitarize divorce between parents who are involved in marital disputes, substituting conciliation and mediation for the adversarial process, and providing for emotional and financial child support. We work to strengthen fragile families of children whose parents are unwed. We also favor school-based programs for children at risk.

Formed in 1985 by concerned parents who have more than 40 years collective experience in custody reform and early childhood education, CRC has chapters in 32 states and three national affiliate organizations: Mothers Without Custody (MW/OC), Parents Without Partners (PWP), and the Stepfamily Association of America (SAA).

Prominent professionals in the fields of religion, law, social work, psychology, child care, education, business, and government comprise our Advisory Panel.

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Apply for Funds in Second Round of Access Grants!

Arnaudo

Many states have already begun to decide how they will spend the second round of access/visitation grants. Non-profit groups are eligible to receive funds from the states, and are urged to contact state officials in charge of the grants, say federal officials.

"Get funding for telephone referrals services, which many access-oriented groups are already running. And consider starting neutral drop-off and pick-up of children centers," said Al Ellis, who supervises CRC of Maryland's neutral drop-off sites in 3 Maryland counties (Prince George's, Anne Arundel, and Montgomery counties). The states are receiving approximately the same amount of funds to operate the second round of access/visitation grants that they received during the first round distributed last year.

Under that disbursement, each state will receive in the second round (as they did last year) at least $50,000, with the average grant totaling about $190,000. California is the largest recipient, receiving more than $1 million. The disbursements were made under a formula based in part on the number of single-parent households in the state.

The $10 million in annual access grants are provided for by the 1996 Welfare Reform law. They are block grants to the states (and the District of Columbia, Guam, Puerto Rico and the Virgin Island), "to administer programs to support and facilitate non-custodial parents access to and visitation of their children."

A wide variety of programs are being carried out by the states in the first round, including Voluntary and Mandatory Mediation, Counseling, Education, Development of Parenting Plans, Access (Visitation) Enforcement, Monitored Visitation, Supervised Visitation, Neutral Drop-off and Pick-up Centers, and Development of Guidelines for Visitation and Alternative Custody Arrangements.

"There has been a mix of programs and services, with no one program or service predominating," said David Arnaudo, who is in charge of overseeing the access/visitation grants on behalf of the federal Office of Child Support Enforcement, U.S. Department of Health and Human Services.

Some Allied Groups Receive Funding

From what CRC can determine, only a limited number of CRC-type groups applied in their states for funding in the first round, and about half of them have received funding.

In addition to such grants for CRC-type groups mentioned in our previous newsletters, we have now learned that:

◆ CRC of Nebraska has received Nebraska's $50,000 access grant in order to administer mediation programs in Lancaster and Douglas counties. Nebraska CRC state coordinators Bill and Lyn Huerter said Nebraska CRC asked for no funds to administer the program. All travel, office space, personnel, will be donated as "in-kind" services, in order to promote mediation for divorcing parents in those two counties;

Continued on page 7

Letters to the Editor

Editor:

Maricopa County, Arizona, is using its access funds from the state of Arizona to produce two educational videos on the unfortunate prevalance of parental alienation in divorcing families. Parental alienation takes form in numerous subtle, as well as deliberate ways.

Parental alienation is a significant factor in countless cases of non-compliance with court-ordered access. It is imperative that parents learn about the harm that children endure when parents sabotage the child's relationship with the other parent, whether unwittingly, or with conscious intent.

I am confident that parents who truly love their children would not continue to participate in the negative undermining of the child's positive and loving relationsip with the other parent, if they fully understood how painful and damaging their alienating behavior is to the child.

Even in cases where the other parent is not viewed to be the most effective parent, children have a better chance to gain a deeper sense of rootedness, belonging and self-confidence when they have connection with both parents.

As with most things, children learn from their parents how to solve problems. Parents who do not model constructive conflict resolution for their children will most likely see serious problems with their children's emotional and social development, as well as with school performance.

However, children who have contact with both parents and extended families, usually have a stronger self-concept, and are less likely to "act out" in ways that will undermine their success.

The first video will be used by the Court to help parents recognize signs of the harmful alienating behaviors which they use to bias the child against the other parent. Parents identified as chronic violators of court-ordered visitation will view the video as part of a court-ordered education class.

A second video will alert the judiciary and other professionals who can benefit from learning about the problem.

Teachers, physicians and child custody evaluators can unwittingly become caught up in the alienating parent's unwarranted effort to deny access to the non-custodial parent, unless they become aware of the warning signs of alienation.

It is gratifying to work together with groups like the Children's Rights Council.

Kat Cooper,
Associate Clerk of Superior Court
Family Support Center
602/506-5714

!!News Flashes!!

1) A key Congressman, Clay Shaw, R-FL, indicates he will introduce the Amendment to the Standby Guardianship Resolution we have sought, to make clear that state laws should not bypass the other parent as first choice in custody for an ill or dying parent. See story on page 7. We will keep you posted as to when this amendment will be introduced. Thanks to all of you who wrote or phoned your Congressmembers!

2) Read *Divorced Dads–Shattering the Myth* by Sanford Braver, Ph.D. and Dianne O'Connell, Random House, due out this Fall, $24.95, ISBN# 0-87477-862-X. Braver is the federally-funded researcher who has spoken at several CRC conferences. We especially like *Chapter 8: The Parentally Disenfranchised Dad*, but the entire book is terrific! Order from CRC or at your local bookstore.

3) CRC cannot endorse candidates, but Children's PAC, the PAC with goals similar to CRC, can! Contact Ann Marini, M.D., and Robert Lipsky, Children's PAC, 301/530-9290 to endorse your favorite Congressional candidate this Fall. The PAC also needs help with bookkeeping and organization. A former CRC member running for Congress is Eric Bleicken, in the Massachusetts 10th District on Cape Cod, phone 508/760-2045.

Children Missing from Non-Custodial Parents Can be Located, Say Feds

For years, the Federal Parent Locater Service (FPLS) was primarily available to locate parents who owed financial child support, and more than 1 million such parents a year have been located through cross-checking applications for motor vehicle licenses and other means.

In 1996, the Welfare Reform law extended the FPLS to "require states to provide information on the location of children to parents who do not live with their children."

An article in the Washington Times Sunday, June 21, 1998, highlighted the problems a non-custodial father in Maryland was having in obtaining enforcement of the FPLS to locate his children.

The article provoked an unusual reply to the Editor to the Times from a key Congressman, Rep. Clay Shaw (R-FL), who helped gain passage of the expansion of the FPLS. See his letter reproduced below.

If you have a similar problem locating the whereabouts of your child, have your attorney contact the local child support office to obtain information as to their whereabouts.

If the information is not provided, you may wish to notify Rep. Shaw, Chairman, Human Resources Subcommittee, House Committee on Ways and Means, Rayburn B317, Washington, D.C. 20515.

Reprinted with permission from Letters to the Eidtor

The Washington Times
PAGE A16 / FRIDAY, JULY 3, 1998

A parent has a legal right to know a child's location

Your Father's Day story "These dads see need for role in rearing children" prompted me to write. The story tells of the difficulty a divorced Maryland father, Virgil T. Chase, is having in getting cooperation from government officials in locating his children.

As chairman of the House subcommittee with jurisdiction over the child-support program, I want your readers to know that federal law requires both state governments and local courts, under most circumstances, to help a father in Mr. Chase's situation. More specifically, federal law requires states to provide information on the location of children to parents who do not live with their children.

In order to protect against cases in which domestic violence is a potential issue, the information is provided by the Department of Health and Human Services (HHS) to the local court responsible for the case. If the information has been requested by an authorized person, such as the father's lawyer, and if the court is not aware of evidence of domestic violence, the state must request, HHS must provide, and the local court must share information on the location of children with the nonresident parent.

This federal statute, which was put in place by the 1996 welfare reform law and modified slightly in 1997 legislation, is based on a simple principle: Children need love, involvement and money from both parents.

Congress has created a strong child-support program designed to ensure that parents who do not live with their children provide financial support. Although the child-support program leaves most issues concerning custody and visitation to the state, the federal government does insist that information on the location of children be made available to nonresident parents such as Mr. Chase.

E. CLAY SHAW JR.
Chairman, Human Resources Subcommittee Committee on Ways and Means
U.S. House of Representatives
Washington

Iowa Top State to Raise a Child

Iowa is the best state to raise a child, according to the most recently published data analyzed by the Children's Rights Council.

CRC released its 1998 4th annual report on how the fifty states and D.C. rank in the raising of children at a press conference July 28 in a Senate Office Building conference room. Four members of Congress, Rep. Greg Ganske (R-IA), James L. Oberstar (D-MN), Martin Olav Sabo (D-MN), and Gil Gutknecht (R-MN), spoke at the conference.

Three newscameras were at the press conference, from CNN, ABC, and NBC. The report was also carried by other major national media, including AP Newswire (about 2,000 newspapers), AP radio (about 2,000 radio stations), Good Morning America, and USA Today.

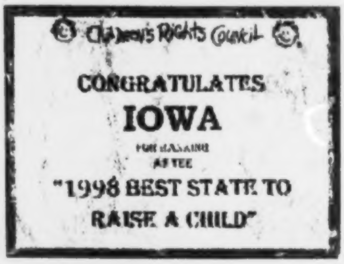
CRC received hundreds of phone calls in the days following from newspapers and radio stations wanting additional information about their state's ranking.

One of the media's favorite quotes was from Congressman Ganske, who said "we raise corn and kids right in Iowa."

The 50 states and D.C. were categorically measured and then ranked in relation to one another based on 11 different criteria. These criteria are the highest public high school graduation rate, and the lowest of each of the following: infant mortality rate, child death rate, children in poverty, teenage pregnancy rate, unwed births, divorce rate, single parent households, crime rate, drug induced deaths and alcohol induced deaths.

"We feel these are the best indicators of how well a state provides a child-friendly environment," said CRC President David L. Levy.

Eleven CRC student college summer interns worked hard to correlate the data, which came from such sources as the FBI, Statistical Abstract of the U.S., and to provide the rankings. The interns spoke at the press conference.



Children's Rights Council

CONGRATULATES

IOWA

FOR RANKING

AS THE

"1998 BEST STATE TO

RAISE A CHILD"

In telephone interviews with radio stations, CRC noted that family structure plays a key role in childhood wellbeing.

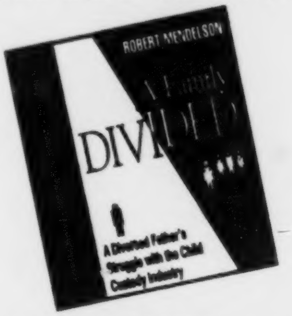
CRC chapters, all of whom had advance copies of the report, plugged into local media where possible, with comments on how to help chldren and families in their states.

Copies of the 8-page report are available free to CRC members; nonmembers send $5. Or see the report on CRC's website, www.vix.com/crc/

THIS RIVETING EXPOSÉ REVEALS HOW JUDGES, ATTORNEYS, PSYCHIATRISTS AND PSYCHOLOGISTS VIOLATE LAW & ETHICS IN THEIR MISGUIDED ZEAL TO IDENTIFY A "PRIMARY PARENT"

One Divorced
Father's Story

Every Father's and
Child's Nightmare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A Family
DIVIDED
A Divorced Father's Struggle with the Child Custody Industry

A FAMILY DIVIDED
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Struggle with the
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"Robert Mendelson's new book, A Family Divided, compellingly chronicles Dr. Michael Nieland's journey through the land mines we call family court, and along the way provides important advice to fathers facing the prospect of divorce as well as thoughtful recommendations to policy makers for change. Don't go to divorce court without having read this book!"
-- Wade F. Horn, Ph.D., President of the National Fatherhood Initiative

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-- Sidney Siller, Chairman/Founder of the National Organization for Men

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Bookstores * Internet: www.amazon.com * Publisher: 1.800.421.0351 (Prometheus Books) * CRC Catalog of Resources

BEST COPY AVAILABLE

Results of Research

Judith S. Wallerstein and Julia Lewis, 1998.
The Long-Term Impact of Divorce on Children: A First Report From a 25-Year Study
Family and Conciliation Courts Review. 36:368-383
A Summary of "The Long-Term Impact of Divorce on Children"
Reviewed by Sylvan Butera, CRC Staff

The article reports on a longitudinal study of responses from children and adolescents involved in a divorce or separation. It criticizes the decisions made by parents, judges, attorneys, mediators, and mental health professionals in which the child has no opinion in future planning yet is the one most influenced.

This study reports on children who are today between the ages of 27 and 32 years, and at the time of the divorce were between the ages of 2 1/2 and 6. The children came from middle-class homes in northern California in which both parents were educated. The report and study "attempt to trace what has happened to them, where they are today, and how they got there". The study appears to be of children in which one parent has sole custody, usually the mother.

Many of the children, 25 years after the breakup, "spoke sadly of their lost childhood". They claimed to feel alone and angry. During the adolescent years many of them turned to drug and alcohol abuse, and the report states that half of the people in the study were involved in this abuse. One of the children, now an adult, stated, "I came home day after day to an empty house. That's how I got involved in drugs and sex".

With each developmental change, the children experienced more conflicts due to the divorce. Entering into adulthood, after turning 18 years, child support stopped, and many of them were not financially supported to continue for higher education. The report states that, "It is not surprising, although the majority graduated from high school, one third ended their education there". The study claims that two-thirds of these children had fathers that "were well-paid professionals or successful business men," yet, while having regular contact with their kids, none of these fathers supported their children completely for higher education.

When the study examined the relationships of the parent and child the report stated that, "it has been assumed by the legal system that if the mother does not interfere and the father is not dangerous, the child and father will establish a regular contact schedule and will enjoy and benefit from each other's frequent company. Findings in this study show a much more complex picture". The study observed that the father's involvement with the children depended on his own success and failure in different aspects of his life. When fathers remarried there was the tendency for them to give priority to the new marriage or new children, thus sacrificing time that used to be spent with the child from the previous marriage. Some of the fathers who had abandoned the children sometimes "resurfaced" when they became grandfathers or in time of need.

Many of the young adults appeared resentful of the strict court orders regarding visitation rights. The report claims that, "No single child who saw his or her father under rigidly enforced court order or unmodified parental agreement had a good relationship with him after reaching adulthood". Many of the people claimed that they felt their lives to be "abnormal," and that due to forced visitations they missed out on school activities they might have otherwise been involved with.

Mothers were also taken into consideration, but were given more compassion than the fathers. Many mothers were viewed as heroic for their efforts to keep the family going. Problems arose when a stepfather came into the picture, and was given the right to discipline.

A common anxiety seen among children of divorce is when it comes time for them to experience their own relationships or marriages. While some of them have very successful marriages, some of them avoid it altogether, and some get married only to get divorced like their parents.

Hello, Commissioner Ross!

Ross

David Gray Ross has a new title. He is now the "Commissioner" of the federal Office of Child Support Enforcement in the U.S. Department of Health and Human Services (HHS). Ross's previous title (and of all those who previously held his job) was "Deputy Director", even though he ran the Child Support Office. In a recent reorganization, federal officials decided to match the title with the job, and then some. Ross has more responsibility, because he is also in charge of new responsibilities under the Welfare Reform Act, including upgrading child support systems and automation.

Hello, Officer Arnaudo!

Arnaudo

David Arnaudo, who supervises the access/visitation block grants to all 50 states, has been named the new Advocacy Relations Officer of the federal Child Support Office. In that job, Arnaudo is the liaison officer to all advocacy groups that deal with the Child Support Office. He is also in charge of the new outreach initiative to the communities of service and faith, that is, churches, synagogues, and service clubs that work with children. David Ross, who named Arnaudo to the post, said "one of our major initiatives for 1998 is an outreach to those organizations who care about families to ensure that children have both emotional and financial support."

Financial Facts

by William Dolan, J.D.

CRC member and real-estate agent

Court-ordered financial child support payments have an impact on your ability to get a mortgage for a house. Fannie Mae and Freddie Mac, which are the two federal quasi-government agencies through which most mortgages flow, have guidelines for mortgage lenders.

Two of these guidelines relate to percentages of gross income of any mortgage borrower. That is, to obtain a mortgage from a lender which abides by Fannie Mae (FMMA) and Freddie Mac (FHLMC) guidelines:

1. the sum of principal + interest + taxes + insurance must be less than or equal to 28 percent of the borrower's gross income, and,
2. all other debts must be less than or equal to 8 percent of the borrower's gross income.

Look especially to the 8 percent rule. If the financial child support of the non-custodial parent (NCP) is $500 a month in after-tax funds, then the NCP has to earn at least $6,250 a month in gross income, e.g, $75,000 a year to qualify for the FMNA or FHLMC. If the NCP has credit card debt, car debt, or other debt, then the NCP needs to make even more money to qualify for a mortgage.

Mortgages may be available from non-FNMA and non-FHLMC sources, but fewer of them are available and rates may be less favorable.

Standby Guardianship

The "standby guardianship" resolution passed by Congress last year has already been adopted into law by several states, according to CRC observers.

Other states are considering adopting such a standby guardianship provision.

Those provisions would allow a parent who is ill or dying to avoid laws in all 50 states that automatically give custody to the other parent.

The resolution passed by Congress asks the states to pass laws allowing a parent who is chronically ill or near death to designate a "standby guardian" for the parent's minor children.

This would allow the ill or dying parent to bypass the other parent, something that was not previously allowed in any state.

See NEWS FLASHES!! on page 4.

Access Grants

Continued from page 3

- National CRC has received $50,000 in access funds from the District of Columbia. Half the funds will go to the Washington, D.C., CRC chapter, headed by Frank Banner, who has established a center for the neutral drop-off and pick-up of children, supervised access, and counseling, at the Hillcrest Children's Center in northwest Washington. The other $25,000 will go to the national CRC office to do telephone referrals to unwed, separating, and divorcing parents.

The previously announced winners of grants by non-profit groups that work for a child's right to two parents, regardless of the parents' marital situation, are:

- the Virginia Fatherhood Initiative (VFI), headed by Michael and Cindy Ewing;
- CRC of New York State, headed by Kim Boedecker-Frey;
- CRC of Illinois, headed by Terry Cady;
- David L. Levy and CRC as consultants to the state of Missouri access grant.

CRC needs grant and proposal writers. Contact CRC

Anti-Joint Custody

Continued from page 1

fit. Declares that it is not in the best interest of children to:

1) force parents to share custody over parental objection, or when there is a history of domestic or family violence;
2) punish abused or protective parents who protect themselves or their children;
3) presume that allegations of domestic and family violence are likely to be false, or made for tactical advantage during custody and divorce proceedings; and
4) make "friendly parent" provisions a factor when there is an abusive parent.

Expresses the sense of the Congress that:

1) child abuse and child sexual abuse allegations should be investigated regardless of when raised or whether the child has recanted the allegation;
2) States should be more protective of victims of family and domestic violence in custody and visitation determinations and not order mediation, couples counseling, shared custody, mutual orders of protection, unsupervised visitation, or other measures when they may endanger such victims; and
3) States should provide training in domestic violence and child abuse, as they impact custody, child support and visitation determinations, to all professionals who interact with children and parents.

WRITE!

Dear (your House member), Washington, D.C. 20515

Please oppose Sec. 241 of H.R. 3514. Family violence must be eliminated, but allowing one parent to veto joint custody is not the way to do it. Congressman Tom Davis withdrew his support for this Resolution. I ask you to do the same. Sec. 241 is anti-child and anti-family. Thank you.

Sincerely,
Sign your name, address, and phone number.

The CRC View

by David L. Levy

Levy

The United States has reached a watershed in access/visitation—that is, the enforcement of rights involved in children's access to their unwed, separated, or divorced parents, about 85 percent of whom are fathers.

For years, in the rush to collect more and more financial child support, pushed by the huge weight of the federal government, access/visitation—the right of a child to spend time with both parents, has been virtually ignored.

The federal government's child support office in the U.S. Department of Health and Human Services (HHS) has a $3.5 billion budget and 60,000 employees nationwide, with collection tools such as wage withholding, liens, tax intercepts, free services and lawyers for custodial parents, arrests, jailings, and "Most Wanted" lists.

Nothing comparable exists to help ensure that custody determinations are fair, or that children will have both moms and dads involved in their lives post-divorce. In the sole custody generation that has prevailed since 1970, moms usually get custody, dads usually get limited visitation, and the government put its heavy thumb on the scale almost totally on behalf of child support.

Access or parenting time, the more holistic terms for the harsher prison-type word "visitation," became a step-child to financial support.

But a phenomenon little noticed in the media is starting to give a little more clout to that step-child.

In 1988, Congress funded 7 access/visitation "demonstration" projects in Idaho, Indiana, Massachusetts, Florida, Iowa, and Arizona to test mediation, counseling of divorcing fathers, parenting education and parenting plans. The idea was to determine whether a small amount of assistance to divorcing parents, mainly fathers, would produce more satisfaction with the court system, more child and parent time together, and more child support compliance.

The results were so positive, according to federally-funded evaluators of the $3 million test program, that Congress provided access/visitation projects for all 50 states and jurisdictions (Guam, District of Columbia, Virgin Islands, Puerto Rico) in the 1996 Welfare Reform Act.

The 1996 law provided a pot of only $10 million a year for those 54 jurisdictions to share, with the smallest grant $50,000, and the largest grant to California of more than $1 million. The average grant is about $185,000, based on a formula involving the number of single parents in a state.

No jurisdiction can deliver a heavy load with such limited funding, but there are now, only 6 months into the program, more than 500 people around the country whose part-time or full time employment depends on delivering access/visitation services.

Two things emerge from this:

A) Those 500 people and the state officials they report to (child support officials, governors, judges) now have an opportunity to see the importance and even more significantly, the enforceability of access/visitation.

Previously an amorphous entity (how can you enforce visitation?), people realize that mediation, parenting education, parenting plans, and just plain old talking to parents about their rights and responsibilities, can help facilitate the difficult transfer from marriage to divorce.

B) Those 500 people now have "rice bowls." As it is said in Asia, a person dependent on a rice economy must protect their rice bowls through flood and drought. Once programs are established, they tend to expand. There are now a group of people whose insight into the programs, and financial future depends in part upon the preservation and expansion of access/visitation services.

We have all heard of the deadbeats—irresponsible parents who won't support their children. And then there are abusers who must be restricted in terms of access to children. But there is a vast middle ground of fit parents often hidden from view whom access service providers are discovering to be eager for help. These are mostly dads who feel, in the words of federally-funded Arizona State University researcher Sanford Braver, Ph.D., more "pushed away and forced away" than "walked away" from their children after divorce. But there are 2 million non-custodial mothers in this country, and so a substantial number of pushed away parents include mothers.

Add the following to the mix:

A) All indications are that the problems of access/visitation are larger than we imagine. The Census Bureau reports that 37 percent of fathers do not see their children post-divorce. About 70% of inmates in prisons were raised without a father in the household.

Because the federal access/visitation programs are set to last for several years, those rice bowls are likely to grow larger. This will increase the number of court associated individuals, child support staff, and government agencies who learn more about access/visitation enforcement.

The more we learn, the more we will find ways to make sure that children are raised with both moms and dads.

Updated Parenting Directory Available

The new update of CRC's International Parenting Directory is now available. Updated as of September, 1998, this 7th edition of the directory contains information on more than 1,200 groups and individuals across the country and abroad working in areas such as custody, access/visitation, and prevention of parental kidnapping. The Directory, an invaluable networking tool, is available in hardcopy or disc for $12 for CRC members, and $15 for non-members. CRC thanks Paul Robinson and Ed Mudrak for their hard work in updating this Directory. The hardcopy is updated once a year; the disc is updated frequently. Order from CRC and specify which version you want—hardcopy or disc.

In the Courts

Alternating Custody Struck Down

A trial court judge should not have ordered that divorcing parents alternate physical and legal custody of their three sons six times a year, the Wyoming Supreme Court held March 20. The Supreme Court said that the children lived with the mother, and the mother had been the primary caretaker during the marriage. Arrangements that required the children to change primary residence several times during the school year created problems, the court said. The court added that it rejected "the indiscriminate resolution of custodial disputes via mathematical equity."

(Reavis v. Reavis, Wyo SupCt, No. 97-209, 3/20/98]

Relocation Denied in Sole Custody Situation

A mother's move from Pennsylvania to South Carolina was not in the child's best interests, the Pennsylvania Superior Court said April 8, agreeing with a trial court's decision. Although the mother's job as a nursing instructor at a local college had been eliminated, and she found a similar job in South Carolina, the Superior Court said, the father's immediate family and most of the mother's family resided in Pennsylvania. The mother made no attempt to seek employment in Pennsylvania, the court noted. In addition, the mother had hindered the father's visitation with the child.

[Baldwin v. Baldwin, Pa SupCt., No. 1662 Pitts. 1997, 4/8/98]

Payments to Adult Child

The Michigan Court of Appeals on May 8 cleared the way for a 22 year-old woman to obtain 19 years of unpaid child support payments from her father. A lower court had recognized the woman's right to get child support from the father, but said she was entitled to support only for the period between the filing of her complaint, when she reached 18, and her attainment of the age of 19 1/2, when state law says child support must end. The Appeals Court said it mad no sense for the state to recognize a cause of action for a child against her parent for support, permit a lawsuit to be instituted after the child turned 18, but then limit the child support award to a brief period after the age of 18. (A United Press International report of the case states that the parents were not married, and that a judge found in 1976 that the mother's claim for child support could not be sustained, because there was no clear evidence of paternity. A more recent DNA test had established that the man in question was the father.)

[Phinisee v. Rogers, Mich CtApp, No. 190353, 5/8/98]

Child Support Payments by Non-Father

A man now determined to be the father of an adult woman must pay retroactive support, even though the mother's ex-husband had been paying child support since 1975, the New Mexico court of Appeals has decided. The court said that the support contributed by the ex-husband did not affect the father's statutory obligation to support his child. The court also said that the ex-husband could not seek full repayment of that support from either the father of the child, because the ex-husband had never challenged the divorce decree's declaration that the girl (Jeanne), now age 20, was "a child of the marriage."

[Tedford v. Gregory, MN CTApp., No. 18221, 3/26/98, released 5/14/98]

Relocation in Joint Custody Situation

A mother's request to relocate to a distant state with her nine year old daughter must be denied, the New York Family Court, Monroe County, has decided. The mother and the father shared custody equally. The mother's new husband decided to move to South Carolina, and the mother had filed for modification of the divorce decree, requesting primary residential custody and permission to relocate with the child. The court said that previous relocation cases had involved children who primarily resided with one parent, and this case should be viewed essentially as a request for change of custody. The father was better able to nurture the child and to promote her continued relationship with the mother, and the child should remain in her present school and community, the court said. The court awarded primary residential custody to the father, with liberal visitation for the mother.

[Sara P. v. Richard T., NY FamCt MonroeCty, NYLJ 3/13/98]

The above cases were summarized from Family Law Reporter. They appear here by permission of The Bureau of National Affairs, Inc., publisher of Family Law Reporter.

New York Dad Can Take Tot

A landmark legal ruling by a Canadian judge has allowed an American father the extraordinary "liberal" right to take his 13-month-old daughter to the U.S. during his visitation. So reports the Ottawa (Ontario) Sun, July 5, 1998. The father, David Carroll, lives in New York City. The child, Nancy Mae, who lives with her mother in Ottawa, will travel with her father to the United States for one month in the summer and one week in the Fall, Winter and Spring. Justice Colin McKinnon ruled that the mother had previously denied Carroll access to the baby. "Historically, fathers had little right to young children. With this ruling, that bias is gone," said Carroll. Judge McKinnon also ordered Nancy's birth certificate, which had been left blank at birth, be amended so as to list Carroll as the natural father.

States Encouraged to Set 'Reasonable' Child Support Awards

A new federal law comes one step closer to a fairer way of setting financial child support awards in the states than has been done in the past.

In the past, federal "incentive" payments, which amount to millions of federal dollars, were paid to states which set and collected on the highest financial child support awards possible. Even if the orders were set at an unrealistically high level, such that a parent could not afford to pay the support award plus arrearages, a state would get a higher amount of "incentive" payment from the federal government if they collected.

States also had a "disincentive" to modify orders downward (if a parent became unemployed, underemployed or sick), even though federal law (the 1988 Family Support Act) required downward modification procedures in all states. The "disincentive" was the loss of federal dollars if the support order was lowered.

As to arrearages, states also had a disincentive to negotiate flexible arrearage payment schedules that were within a parent's budget because, again, states wanted to collect the maximum possible in order to qualify for more federal dollars. The more that could be collected under the highest possible award, even if the parent had to borrow to pay it, following unemployment, underemployment, or sickness, the more incentive payments to the states.

Many states have received incentive payments which amounted to more than their costs of collections, which the states have placed in their general treasury, to be used for roads, bridges, or whatever purpose the state chose. That is, the reimbursements were not necessarily applied to children or the child support system.

After considering different approaches, the federal office of child support enforcement, in concert with several child support directors across the country, proposed to Congress a new measurement test.

The test, which was adopted as part of H.R. 3130, which President Clinton signed in June, 1998, states that the incentive payments for financial child support are tied to the amount actually collected.

"This means that the states are encouraged to set more realistic awards, based on what they can actually collect. This will cut down on impossibly high arrearages that are not based on a parent's ability to pay," said Teresa Kaiser, former head of Missouri's child support office.

New Incentive Plan

Kaiser testified in favor of the new incentive plan at a Congressional hearing last year. She represented a group of child support directors from around the country which had been working on a new incentive plan for several years to recommend to the federal child support office and to Congress.

The new incentive plans means that states are rewarded not just on the basis of the amount collected, but for cases with collections of a small amount.

Consider a parent with $12,000 in arrears, who is ordered to pay $800 a month. Laws in most states state that the maximum you can collect for debt is 50 percent of the person's pay. If 50 percent of the parent's pay was $1,400, states would try to collect the entire $1,400 each month, even though it might not leave the parent money to pay other debts, living expenses, and money to spend directly on the child when the child was with that parent.

The states had the authority under federal law to negotiate indefinite monthly payments of $801 (the $800 that was ordered, plus one dollar), but they had no incentive to negotiate an award of $801 in such a case, because that would mean lower incentive payments than if they collected $1,400.

"Many times, the $1,400 would go uncollected, but the states kept trying anyway," said Kaiser. "There was just no incentive not to!"

Under the new law, the states will receive incentive payments not just for collections, but cases under which there is collection of even a small amount.

The states will have an incentive to collect the $801 in the above example, or some other realistic, affordable amount.

The Bradley amendment (passed by Congress in the 1980's without any hearings), prohibits retroactive modification of child support awards.

But the Bradley amendment never prohibited negotiating the weekly or monthly amount that was to be paid. Thus, some child support directors have been regularly collecting, say, $801 from parents in the above situation, because this was all they could afford to pay.

Most child support directors, however, tried to get the $1,400 a month, or as close to as they could, even if it caused hardship or meant putting a parent on a "Most Wanted" list for child support arrearages.

"We had to get the law changed, so that all the states would have the new incentive system," said Kaiser.

1999 Conference

CRC will soon issue a call for papers for presentation at the 12th national CRC conference to be held in October 1999 in the Washington, D.C., area. Topics are expected to include: the effects of welfare reform on the 2-parent family, the relationship between family structure and children's well-being, the effects of parental deprivation on children and society; the current state of move-away cases; whether the "best interest" concept should be replaced, and if so, by what?, and the status of parenting, mediation, and divorce education. For information, contact Michael Ewing, 757-543-5993.

5,600,000 Children Have Access to Non-Custodial Parent Interfered With

In the past, the Children's Rights Council has estimated that 6,600,000 children have difficulty in obtaining access to their non-custodial parents. As child and family advocates around the country know, legislatures and the courts do little to encourage active parenting for the 1 million of children affected by divorce each year. Based on new estimates by CRC evaluator of research Richard Kuhn, we now estimate that almost 5,600,000 children have difficulty in obtaining access to their non-custodial parents.

CRC has revised the figure down from 6,600,000 to almost 5,600,000 for the following reasons:

1. Data Findings Include Shared Parenting

Based on data from the U.S. Census Bureau and the National Center for Health Statistics, approximately 20 percent of children of divorced families are in equal shared parenting situations.

Equal shared parenting means that there is approximately 50/50 percent sharing of time between two parents on a year-round basis. This figure has doubled since 1990, when only about 10 percent of children were estimated to be in equal shared parenting situations.

"Frankly, these figures of equal shared parenting were higher than we anticipated," said Kuhn, "and these figures do not reflect situations in which there is less than a 50/50 split of time." Joint custody is generally defined as at least a third of the time on a year-round basis with a parent. 50/50 shared parenting is substantially more than that.

2. Other Researchers Have Weighed In

In the past, CRC reviewed literature, including Wallerstein and Kelly's book entitled *Surviving the Break-up*, that said there was interference with access in 25% to 50% of all cases. CRC used a middle figure of 37%. Using 37% of 18,000,000 children of divorce, we arrived at the number 6,600,000.

However, we observe that other researchers are using numbers of between 25% to 40% for access interference. CRC has essentially split the difference to arrive at an estimated figure of 32 percent.

"The work that CRC and others have been doing around the country since CRC was formed in 1985 has contributed to an improvement in the lives of many children," said CRC President David L. Levy. "Yet we get calls and letters every day from distraught parents and grandparents who have trouble getting to see their children. Clearly, a lot of work remains to be done."

Now, as in the past, CRC provides a state-by-state breakdown, based on population, of the estimated number of children whose access/ visitation to a non-custodial parent is interfered with by a custodial parent.

State	Number of Children
Alabama	97,396
Alaska	13,232
Arizona	93,303
Arkansas	51,437
California	719,243
Colorado	65,385
Connecticut	64,730
Delaware	16,745
District of Columbia	20,509
Florida	320,399
Georgia	164,475
Hawaii	20,083
Idaho	19,572
Illinois	265,853
Indiana	107,534
Iowa	49,375
Kansas	47,177
Kentucky	69,511
Louisiana	126,997
Maine	22,428
Maryland	100,323
Massachusetts	115,347
Michigan	221,634
Minnesota	93,376
Mississippi	77,852
Missouri	108,748
Montana	16,702
Nebraska	26,213
Nevada	33,807
New Hampshire	21,231
New Jersey	142,585
New Mexico	46,915
New York	439,160
North Carolina	154,464
North Dakota	9,471
Ohio	231,017
Oklahoma	68,702
Oregon	63,056
Pennsylvania	207,722
Rhode Island	20,554
South Carolina	87,775
South Dakota	13,376
Tennessee	115,504
Texas	408,267
Utah	29,650
Vermont	10,523
Virginia	127,283
Washington	112,071
West Virginia	31,594
Wisconsin	92,186
Wyoming	9,980
Total	5,592,452

Help Us Help You!

CRC needs equipment:

- ★computers
- ★typewriters
- ★photocopy machines
- ★other office equipment

CRC needs volunteers to:

- ★do filing
- ★be Newsletter editor
- ★layout Newsletter
- ★answer the phone
- ★work with celebrities
- ★work on the internet
- ★advocacy
- ★information
- ★fund-raising
- ★what else would you like to do?

Contact the national office or the chapter nearest you to ask about their needs.

THANK YOU.

$2 Billion Bill May Only Cover Unwed Fathers

The historic bill introduced in Congress to provide $2 billion over the next five years to enhance fatherhood in the United States is expected to be amended.

The original version of the "Fathers Count Act of 1998" provided that up to 20% of the funds could be spent on programs to assist non-custodial parents, but the revised version will indicate that none of the funds would be used to help non-custodial parents.

All the funds would have to be used for programs for unmarried fathers.

The compromise came about because some conservative House Republicans, as well as Dr. James Dobson, head of Focus on the Family, and Gary Bauer, president of the Family Research Council, opposed federal spending on new programs.

Archer

Shaw

In the compromise worked out with conservative House Republicans, it was decided to spend the $2 billion on funding to encourage unwed fathers to get married and to obtain jobs, but to delete the provisions to assist divorced fathers.

The bill is not expected to become law this year. And it is not certain whether the amendment to exclude funding for programs to assist children and their divorced fathers will be made this Fall, or when the bill is reintroduced when the new Congress convenes in January.

CRC supports this bill, but believes it is wrong to establish 2 classes of fathers, and hopes that funding for all fathers will be provided at some point as the bill is further debated in Congress. The bill would provide grants to states "to encourage fathers to become better parents."

The primary sponsors of the Bill are Clay Shaw (R-FL) and Bill Archer (R-TX).

The powerful House Ways and Means Committee is headed by Archer. The Human Resources Subcommittee of that committee is headed by Shaw. All welfare reform and child support legislation emanate from the subcommittee.

You may wish to write to Chairmen Archer and Shaw, as well as to your own Representative, stating the following:

Chairman Clay Shaw
U.S. House of Representatives
Washington, D.C. 20515
(or)
Chairman Bill Archer
U.S. House of Representatives
Washington, D.C. 20515

Dear Mr. Chairman:

We appreciate and support your goal of providing $2 billion in programs to assist children and fathers. Divorced fathers paid more than half of the $13.5 billion in financial child support paid last year. They, as well as unwed fathers, deserve your support. There should not be 2 classes of fathers. Please make certain that the $2 billion fatherhood bill will assist children, whether their parents are unwed or divorced! Thank you.

Sincerely yours,

Message from President Clinton

"I commend the members of the Children's Rights Council...and I thank you for putting the needs of our children first," President Clinton said in a message to CRC's 11th national conference, October 12, 1997.

The message is reproduced below.

THE WHITE HOUSE,
WASHINGTON
October 22, 1997

I am delighted to send warm greetings to everyone gathered in Arlington, Virginia, for the 11th national conference of the Children's Rights Council.In every child there is hidden potential waiting to be discovered. Now more than ever, as we approach the dawn of a new millennium, all of us—parents and families, schools, churches, and community organizations—have a responsibility to provide the inspiration and direction needed to nurture this potential. It is our inherent duty to help our young people develop self esteem, teach them values, encourage and guide them, and instill in them the desire to gain the knowledge they need to become productive citizens.We live in an age of possibility, opportunity, and high hopes. And as we plan for the challenges ahead, we must reclaim our national commitment to excellence in education, teach our children to harness the power of new technologies, protect their health, and strengthen America's families. Embracing these challenges with conviction and determination, we will reclaim the future for all of America's children, whose talents and contributions will help make our world a healthier, more loving, and peaceful place in which to live. I commend the members of the Children's Rights Council for your active involvement in this endeavor and I thank you for your putting the needs of our children first

Hillary joins me in sending best wishes for a successful and productive conference.

Bill Clinton

FAMILY FACTS

Photocopy and distribute the "Family Facts" on the next page! Use as hand-outs when visiting the Legislature, disseminating information to the courts or the media, or as a resource for testimony and Letters to the Editor. "Family Facts" is a regular feature of this newsletter. Send us your verified facts (with actual copies, sources and dates) to "Family Facts," CRC.

Teen-Agers Say they Need Emotional Child Support

Although teen-agers are known for wanting spending money and keys to their parents' cars as soon as they are eligible to drive, those same teen-agers do not list money or cars as any of the "assets" they need to reach successful adulthood.

Nor do their list financial child support. Rather, "emotional" child support issues are what they need, according to a 1995 book based on a study of 273,000 youths.

The 30 assets that the 273,000 teens said they need to succeed are divided in the book into external and internal needs. The external needs are:

1. Warm, caring family home
2. Approachable parents
3. Communicative parents
4. Other approachable adults
5. Other communicative adults
6. Parental involvement in school
7. Positive school climate
8. Parental standards
9. Parental discipline
10. Parental monitoring
11. Limits on away-from-home socializing
12. Positive peer influence
13. Music lessons
14. Organized extracurricular activities
15. Community activities.
16. Involvement with a faith community

The internal needs are:

17. Desire to achieve
18. Desire to advance educationally
19. Desire for above-average grades
20. Self-discipline to do 6-plus hours of homework a week
21. Desire to help people
22. Global concern
23. Empathy
24. Sexual restraint
25. Assertiveness skills
26. Decision-making skills
27. Friendship-making skills
28. Planning skills
29. Self-esteem
30 Hope.

What Kids Need to Succeed: Proven, Practical Ways to Raise Good Kids, $5.99, by Judy Galbraith and Peter L. Benson, Free Spirit Publishing, 400 First Avenue N., Suite 616, Minneapolis, MN 55401-1724, phone 1-800-735-7323 or 612/338-2068.

Joint Custody Beneficial even for Parents Who do not Choose Joint Custody

A new study by Judith Seltzer, Ph.D., University of Wisconsin-Madison, indicates positive effects for joint legal custody even among parents who had not chosen joint custody.

Seltzer used data from the National Survey of Families and Households (NSFH), a survey of more than 13,000 families that collected data in two waves, 1987-1988 and 1992-1994. Because the NSFH included data on the quality of family relationships, it was possible to study the effects of joint legal custody while controlling for pre-separation family relationships.

Says Seltzer: "Controlling for the quality of family relationships before separation and socioeconomic status, fathers with joint legal custody see their children more frequently, have more overnight visits, and pay more child support than fathers in families in which the mothers have sole legal custody.

Remarkably, Seltzer found that the level of conflict before separation had no impact on the prospects of parents obtaining joint legal custody at divorce. She says, "My findings show that neither conflict nor marital happiness before separation affect the likelihood that parents will acquire joint legal custody at divorce."

The fact that children benefitted from joint legal custody even after taking account of the quality of family relationships and economic resources before separation provides further evidence that the positive effects are not simply the result of more cooperative parents choosing joint custody.

Seltzer's report is entitled:

Fathers' by Law: Effects of Joint Legal Custody on Nonresident Fathers Involvement with Children

The report can be obtained through the internet at:

http://ssc.wisc.edu/cde/nsfhwp/home.htm,

or from the Center for Demography and Ecology,
University of Wisconsin-Madison, 4412 Social Science
Bldg, 1180 Observatory Drive, Madison, WI 53706-1393.

From Volume 13, Number 2, Summer/Fall 1998, *Speak Out for Children*, newsletter of the Children's Rights Council, 300 "I" Street N.E., Suite 401, Washington, D.C. 20002-4389 phone (202) 547-6227

Children's Rights Council®

(CRC)
Number 1513
In the National Combined Federal Campaign

C C A
CHILDREN'S
CHARITIES
OF AMERICA

We are a member of the Children's Charities of America (CCA). Look for CRC's listing in the index of the CFC Brochure, then turn to the page given for CCA's members. We are number 1513.

YOU MUST DESIGNATE 1513 FOR CRC TO RECEIVE FUNDS.

The Children's Rights Council works to assure that children of separation and divorce obtain as much emotional and financial support as children of intact marriages.

Some of CRC's accomplishments:

- credited with being the organization that convinced Congress, for the first time in history, to provide funds for access/visitation demonstration programs in 1988;
- the results of the above 1996 grants were so positive that in the 1996 Welfare Reform Law, Congress provided $10 million a year for all 50 states and jurisdictions to provide access/visitation programs;

- Publicized findings in 1998 that the states with the highest amount of joint physical custody in 1989-1990, had the lowest divorce rates in the subsequent years 1991-1995;
- Publicized findings that children with two parents generally have fewer problems with drugs and crimes than children with only one parent. Obtained changes in attitudes and laws in order to encourage a child's bonding to two parents and extended family;

- Promoted the school based "Banana Splits" program to help children of separation and divorce channel the transition in their lives into stronger academic achievement;
- Award-winner for assisting a county outside Washington D.C. (Prince George's, MD) in hiring staff to improve bonding between children and their non-custodial parents;
- Provided assistance to parents and professionals on how to get through the divorce process in the most peaceful, problem-free way, so as to take the stress out of divorce. Money that would be spent on battling between parents is available for the children.

CRC only receives funds that you actually designate!

DESIGNATE NUMBER 1513 IN THE COMBINED FEDERAL CAMPAIGN.

The Children's Rights Council is a national non-profit organization at 300 "I" St., NE #401, Washington, D.C. 20002-4389. Phone: 202/547-6227 Fax: 202/546-4272. See our web site at http://www.vix.com/crc/ To obtain a copy of our Catalog of Resources, Directory of Parenting Organizations, Affiliation Book, Annual Report, or latest audit, write or call CRC. Thank you.

All artwork trademarked or trademark pending, CRC

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Children's Rights Council

IN UNITED WAY, WORKPLACE AND CORPORATE CAMPAIGNS CONTRIBUTE TO THE CHILDREN'S RIGHTS COUNCIL (CRC)

CRC works to strengthen families through education and advocacy. We favor family formation and family preservation, but if families break up, or are never formed, we work to assure a child the frequent and continuing contact with two parents and extended family the child would normally have during marriage. Our motto is "The Best Parent is Both Parents."

For the child's benefit, CRC favors parenting education before marriage, during marriage, and in the event of separation. We work to demilitarize divorce between parents who are involved in marital disputes, substituting mediation for the adversarial process, and providing for emotional and financial child support. We also favor school-based programs for children at risk.

There are several ways you can contribute to the Children's Rights Council

- through the Combined Federal Campaign if you work for the federal government at any federal office, post office, or military base. CRC is listed as Number 1513 (the same number as last year) in the Children's Charities of America listing;
- in the Washington, D.C. and San Francisco Bay Area United Way campaigns, where we are also listed as Number 1513

- if you wish to contribute to CRC through a United Way where we are not listed, please ask your employer if you can designate (write in) the Children's Rights Council
- in corporate campaigns, including AARP, CNA Insurance, Lotus Development Corp., KPMG

- if you wish to contribute directly to CRC, write to CRC, 300 "I" Street N.E., Suite 401, Washington, D.C. 20002-4389

Contributions accepted on Visa, MC, or AMEX credit cards.

Visit the Children's Rights Council on the Website: http://www.vix.com/crc/

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Children's Rights Council

1998 CATALOG OF RESOURCES
for parents and professionals

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BOOKS FOR KIDS

How to Survive Your Parent's Divorce: Kids Advice to Kids, by Gayle Kimball, 1994. Easy-to-read one-of-a-kind guide for young people and their parents as they reshape their lives post-divorce.
SB-112 -- **✱Discount Price $4.00**

I Think Divorce Stinks, by Marcia Lebowitz, 1992. Helps children recognize that it is appropriate to have negative feelings about divorce and to express those feelings.
SB-2012 -- **✱Discount Price $2.00**

Questions from Dad, by Dwight Twilley, 1994. An effective way to develop better relationships between children and their parents.
HB-240 -- **✱Discount Price $7.00**

What am I Doing in a Stepfamily?, by Claire Berman, 1994. A children's book explaining how two families can be better than one.
SB-307 -- **$12.00**

It's Not Your Fault, Koko Bear
VICKI LANSKY

It's Not Your Fault, Koko Bear, by Vicki Lansky, 1998. Koko Bear can help children understand divorce and sends a good message.
SB-308 ------------------------------------ **$5.99**

The Divorce Workbook, by Sally Ives, David Fassler & Michelle Lasch, 1985 How to facilitate honest and open communication between adults and children at the traumatic time of separation and divorce. Q and A for kids.
SB-2010 -- **✱Discount Price $6.00**

BOOKS FOR PARENTS

50/50 Parenting, by Gayle Kimball, Ph.D. Almost 300 co-parents and 83 children report on life in Married, Divorced, and Step-family situations.
SB-113 -- **$9.95**

The Adult Children of Divorce Workbook, by Mary Hirschfeld, 1992. Visualization exercises help readers root our destructive feelings left over from their childhood.
SB-2009 -- **✱Discount Price $5.00**

Discipline That Works, by Thomas Gordon, 1995. Dr. Gordon, founder of P.E.T. (Parent Effectiveness Training) shows ways to empower children to become self-reliant.
SB-117 -- **✱Discount Price $4.00**

Divorce Book for Parents, by Vicki Lansky, 1987. Warmly supportive and reassuring, this comprehensive guide speaks to all divorced and divorcing parents.
HB-204 -- **✱Discount Price $9.00**

The Divorce Decisions Workbook, by Margorie Engel, 1992. Planning and action guide with 55 formulas to help you in four key decision areas:financial, legal, practical, and emotional.
SB-2006 -- **✱Discount Price $7.00**

FATHERLESS AMERICA

Fatherless America, Confronting Our Most Urgent Social Problem, by David Blankenhorn, 1995. Why civilized societies need to uphold the idea of fatherhood.
HB-236 -------------------- **✱Discount Price $24.00**

For the Sake of the Children, by Kris Kline and Stephen Pew, 1992. Discusses how to share your children with your ex-spouse despite your anger. Kline is CRC's Florida coordinator. PHOTOCOPIES ONLY!
HB-216 -- **✱Discount Price $9.00**

The Good Divorce, by Constance R. Ahrons, Ph.D., 1994. An outstanding book with a powerful message: while divorce is not 'good,' there is a path to a 'good divorce' where parents cooperate fully for the sake of their children.
HB-2001 -- **$23.00**

Helping Your Children through Divorce, Florence Bienenfeld, Ph.D.,1995. A resource book depicting the impact of divorce on children.
SB-201A -- **✱Discount Price $7.00**

A Hole in My Heart, by Claire Berman, 1991. A book that will enable adult children of divorce to recognize the role they play in changing patterns in their lives.
SB-225 -- **✱Discount Price $8.00**

The Joint Custody Handbook, by Miriam Cohen, 1991. A 1991 update of one of the classic books on joint custody. Contains sample parenting agreements. PHOTOCOPIES ONLY!
HB-213 -- **$10.95**

Families Apart, by Melinda Blau, 1993. 10 Keys to Successful Co-Parenting. A blend of the author's own research, and that of other experts, and rich in anecdotal information.
SB-223A ------------------------------------ **✱Discount Price $10.00**
HB-223B ------------------------------------ **✱Discount Price $18.00**

Loving & Listening

Loving and Listening, by Melinda Blau, 1996. A Parent's Book of Daily Inspirations for Rebuilding the Family After Divorce
SB-235 -------------------- **✱Discount Price $10.00**

REVISED!
Mom's House, Dad's House, by Isolina Ricci, Ph.D., 1998. Making shared custody work: How parents can make two homes for their children after divorce. 100 **New** pages to this classic book!
SB-202 -- **$20.00**

Negotiating Love: How Women and Men Can Resolve Their Differences, by Riki Robbins Jones, 1995. Points our destructive habits by both genders which, when realized, strengthen families and relationships.
SB-246 -------------------- *Extra Low Price* $3.00

Parent vs. Parent, by Stephen Herman, 1990. Practical information on how to avoid "winning" and "losing" by protecting everyone's best interests.
HB-209 -------------------- *Discount Price $9.00

Putting Kids First, by Michael Oddenino. A must read for caring parents and professionals, by CRC's General Counsel. Includes a children's bill of rights.
SB-248 -------------------- $9.95

Second Chances, by Judith Wallerstein and Sandra Blakeslee, 1989. Based on ten year longitudinal study of the effects of divorce on adults and children.
HB-22 -------------------- *Discount Price $8.00

Surviving the Break-Up, How Children and Parents Cope with Divorce, by Judith Wallerstein, Ph.D and Joan Kelly, Ph.D., 1980. A classic that is still valid in discussing the problems of children being raised by single parents.
SB-220 -------------------- *Discount Price $10.00

CREATING A SUCCESSFUL PARENTING PLAN

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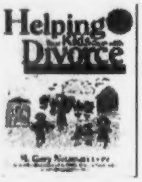
Creating a Successful Parenting Plan, by Dr. A. Jayne Major. Nationally acclaimed author of "Breaththrough Parenting" and "Winning the Custody War Without Casualties"
SB-280 -------------------- $24.95

3 Steps to a Strong Family, by Linda and Richard Eyre, 1994. A 3-step program that can make your family life happier, less stressful, and more rewarding.
HB-281 -------------------- $19.50

Familyhood: Nurturing the Values that Matter, by Dr. Lee Salk, 1992. A practical, inspiring guide to communicating values.
HB-282 -------------------- $21.00

The Best Parent is Both Parents: A Guide to Shared Parenting in the 21st Century, the CRC book edited by David L. Levy. Order bulk copies (10 or more) for only $4 a copy, resell the copies for the list price of $10 each, and make a profit for you or your organization! Individual copies will continue to be available from CRC for $10 each, plus $4 for postage, as long as supplies last. If you would like copies (individual or bulk order) autographed by David L. Levy, just state to whom you would like it autographed (yourself, perhaps your children—give their names).
SB-282 Order 10 copies or more each only $4.00
Individual copies $10.00



Helping Your Kids Cope With Divorce, by M. Gary Neuman, L.M.H.C. 1996. This book is based on the nationally renowned "Sandcastles" workshop.
HB-284 -------------------- $25.00

Joint Custody: An Alternative for Divorcing Families, by Mel Morgenbesser and Nadine Nehls, 1981. A guidebook for parents about summer camp and education through travel.
HB-285 -------------------- -Reduced price $5.00

BOOKS FOR STEPARENTS

How to Win as a Stepfamily, by Emily Visher, Ph.D. and John Visher, M.D., 1982. The co-founders of the Stepfamily Association of America answer questions and give suggestions on how to make stepfamilies work.
HB-301 -------------------- $13.95

Making it as a Stepparent, New Roles/New Rules, by Claire Berman, 1986. Former president of the Stepfamily Association of America provides practical help and insights.
SB-304 -------------------- $7.95

STEPFAMILIES STEPPING AHEAD

Stepfamilies Stepping Ahead, edited by Mala Burt for the Stepfamily Association of America.
SB-303 -------------------- $9.95

BOOKS FOR GRANDPARENTS

Grandparenting—Understanding Today's Children, by David Elkind, Ph.D. Offers advice to help grandparents deal with problems that occur during their grandchild's development.
SB-392 -------------------- $12.95

BOOKS FOR SINGLE PARENTS

Another Way Home, by John Thorndike, 1996. A burning, beautiful memoire.
HB -------------------- *Discount Price $10.00

At My Father's Wedding: Reclaiming our True Masculinity, by John Lee, 1991. A ground-breaking work about the Father Wound and the pain a child can bear because of it.
HB-242 -------------------- *Extra Low Price* $2.00

Surviving Divorce—Women's Resources After Separation, by Mavis Maclean, 1991. Women coping with earnings, maintenance and welfare in the U.S., France, and Great Britain.
HB-819 -------------------- *Discount Price $5.00

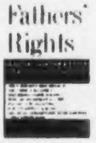
The Liberated Man, by Warren Farrell, 1993. Reveals what every woman needs to know about men and what every man needs to know about himself.
SB-244 -------------------- *Discount Price $3.00

BEST COPY AVAILABLE

Man Enough, by Frank Pittman, 1993. Explores the changing relationships between fathers and sons, and mothers and sons.
HB-239 ---------------------------------- *Discount Price $11.00

The Myth of Male Power, by Warren Farrell, 1993. Rock solid and authentic decimation of the myth of male advantage ...sweeps aside stereotyped assumptions to uncover a deeper truth.
SB-245 ---------------------------------- *Discount Price $6.00

Why Men Are the Way They Are, by Warren Farrell, 1986. Provides insights into loved one's secret insights and desires.
SB-243 ---------------------------------- *Discount Price $3.00



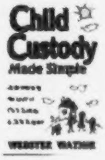
Fathers' Rights, by Jeffrey Leving. A best-selling book for fathers who want to maintain contact with their children.
HB-640 -- $23.00

The Daddy Track and the Single Father, by Geoffery L. Greif, 1990. A book about successfully coping with kids, housework, a job, an ex-wife, a social life, and the courts.
HB-642 -- $19.95

The Divorced Parent: Success Strategies for Raising Your Children After Separation, by Stephanie Marston, 1994. Provides practical advice and specific tools for raising well-adjusted children.
HB-643 -- $21.00

Father's Day, by Bill McCoy, 1995. Witty and wise notes from a new dad in the real world.
HB-644 -- $22.00

Like Father, Like Son, By Hunter S. Fulghum, 1996. A collection of stories on being a man at midlife in America, with introduction by Robert Fulghum.
HB-645 -- $21.95



Child Custody Made Simple, by Webster Watnik, 1997. Answers all your questions about child custody and child support for a single parent.
SB-641 -- $21.95

The Single Parent's Money Guide, by Emily Card, 1996. A plan for managing your money when you are the only one your family can count on.
SB-646 -- $14.95

MEDIATION & CONFLICT RESOLUTION

Between Love and Hate, A Guide to Civilized Divorce, by Lois Gold, M.S.W., 1992. Learn the fundamental skills of negotiation conflict resolution and mediation, for everyone's good.
SB-605A ---------------------------------- *Discount Price $9.00

Family Evaluations in Child Custody, Mediation, Arbitration and Litigation, by Richard Gardner, M.D., 1989. In this update, Gardner proposes a three-phase system to remove child custody evaluations from courtroom litigation.
HB-603 -- $35.00

LEGAL ISSUES

The Custody Revolution, by Richard Warshak, 1992. The Father Factor and the Motherhood Mystique.
HB-702 ---------------------------------- *Discount Price $15.00

The Fathers Emergency Guide to Divorce/Custody Battle, A Tour Through the Predatory World of Judges, Lawyers, Psychologists and Social Workers in the Subculture of Divorce, by Robert Seidenberg, with the legal insights of Williams Dawes, Esq., 1997. A powerful new book whose title says its all.
SB-247 -- $15.00

A Family Divided, by Robert Mendelson, 1997. A discussion of a divorced father's struggle with the child custody industry.
HB-762 -- $21.00

PARENTAL KIDNAPPING

The Parental Alienation Syndrome, A guide for mental health and legal professionals, by Richard Gardner, M.D., 1995. An authoritative work on the Parental Alienation Syndrome (PAS).
SB-1004 -- $30.00

When Parents Kidnap, by Geoffrey Greif and Rebecca Hegar, 1993. This book captures the experiences of parents searching for their children and abductors who have taken them; also makes public policy recommendations.
HB-901 -- $22.95

CHILD ABUSE

Ashes to Ashes...Families to Dust, by Dean Tong, 1996. False Accusations of Child Abuse: A Roadmap for survivors which helps to answer their questions.
SB-2014 -- $15.95

Children Held Hostage: Dealing with programmed and brainwashed children, by Stanley Clawar, Ph.D. and Brynne Rivlin, M.M.S., 1991. Published by the ABA's Section for Family Law, this book discusses a 12-year study of programming and brainwashing during custody battles.
SB-1003 -- $45.00

Protocols for Sex Abuse Evaluations, by Richard Gardner, M.D., 1995. Presents a new series of criteria and interview sequences to help examiners involvedin sex abuse evaluations.
HB-1007 -- $39.95

Recognizing Child Abuse and Combating Child Abuse, A comprehensive guide to recognizing, preventing, and handling child abuse and neglect, by a resident scholar of the American Enterprise Institute. (both books by Douglas Besharov, Ph.D.)
SB-1006 ---------------------------------- *Discount Price $12.00
HB-1008 ---------------------------------- *Discount Price $20.00

The Book of David, How Preserving Families Can Cost Children's Lives, by Richard Gelles 1996. A convincing and dramatic book about the flaws of the child welfare system.
HB-1022 -- $23.00

Suggestions of Abuse, by Michael D. Yapko, Ph.D. 1994. A book about true and false memories of childhood sexual trauma.

HB-1023 ---------- **$22.00**

True and False Accusations of Child Sex Abuse, by Richard A. Gardner, 1992. A guide for legal and mental health professionals.

HB-1024 ---------- **$45.00**

VIDEOS

Children: The Experts on Divorce, by Elizabeth Hickey, MSW 1994. The children speak from their own experience of going through their parents' divorce. A CRC-award winning video prepared by CRC's National Parent Education Director.

V-902 ---------- **$25.00**

The Sensible Approach To Divorce, prepared by Wyandotte County, Kansas officials. A CRC-award winning program in Kansas that shows parents how they can both be fully involved in children's lives post-divorce.

V-903 ---------- **$15.00**

Don't Forget The Children, by the Dallas, Texas Association of Young Lawyers. A CRC award-winning video that provides information on co-parenting in the event of divorce.

V-904 ---------- **$20.00**

The Family After Divorce: Restoring the Family Fabric, by Phoebe Snover Prosky, MSW. (25.00). The program described in this video has helped many children of divorce.

V-905 ---------- **$15.00**

Psychotherapeutic & Legal Approaches To Parental Alienation Syndrome (PAS), by Richard A. Gardner, M.D. An in-depth discussion of ways that parents can alienate the child against the other parent.

V-906 ---------- **$25.00**

AUDIOTAPES

By noted author Warren Farrell

Why Men Are the Way They Are

A-310 ---------- **$ 8.00**

Understanding Each Other (set of two tapes)

A-311 ---------- **$ 8.00**

The Myth of Male Power

A-312 ---------- **$ 8.00**

Complete set of these 3 Warren Farrell tapes

A-113 ---------- **$20.00**

REPORTS

UPDATED 1997, Interference with Access (Visitation) as a Tort. Not a frequent remedy, but one that may be available. Arguments and case citations "The tort, as a charge against one person for invading the rights of another, is clearly reasonable as the interference with visitation is just that—one person taking something from another that he has no right to by law.

R116 ---------- **$10.00**

Challenging the Washington, D.C. Child Support Guidelines, Willing challenge filed by CRC and the Greater Washington Area Chapter of the National Women's Bar Association attacking the substance and procedure for the adoption of the D.C. guidelines.

LB-104 ---------- **$10.00**

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Bills in Congress

The bills described below have been introduced or passed in the current session of Congress. H.R. refers to the House of Representatives, S. refers to the Senate. The phone number of the committee handling the bill is provided below; you may call to check on the status of legislation, or express your views. It is even more important to let your own Representative and Senator know your views. The capital switchboard, which can connect you with the offices of all members of Congress and committees, is (202) CA4-3121 (224-3121). This is a 24-hour switchboard that can provide you night and day with names, addresses, and direct phone numbers of all members of Congress. During normal weekday business hours, the switchboard can connect you with any Congressional office on Capitol Hill. To save on expenses, you can contact the Congressmembers' local branch office in your district. BETTER YET, WRITE A LETTER AS DESCRIBED BELOW.

On June 24, 1998, President Clinton signed into law H.R. 2925, the "Deadbeat Parents Punishment Act of 1997," which had been passed by Congress earlier in June.

The bill, introduced by Rep. Steny Hoyer (D-MD) and Rep. Henry Hyde (R-IL), provides a felony violation for an unpaid child support obligation "to a child who resides in another state."

The felony appears to apply even if the custodial parent is the one who makes the move with the child to another state, and kicks in if the obligation is more than $5,000 owed for more than 1 year, or more than $10,000 owed for more than 2 years.

A previous law, the Child Support Recovery Act of 1992 made it a federal crime to wilfully fail to pay support for a child living in another state, but the new act stiffens the penalties for violation. CRC had hoped that some members of Congress would offer a "balancing amendment" to provide similar penalties for failure to honor court-ordered visitation. However, the bill passed both the House and the Senate without such a mandate.

CRC is asking Congress for a "technical correction" or a new bill that would offer a balancing provision.

"There may be only a few judges in the country who would ever assess a fine for a parent who violates court-ordered access, but if it happens, and it is an interstate case, like the Deadbeat Parents Punishment Act, there ought to be the same federal penalty," said Aaron Washburn, one of the CRC interns who worked on legislation at CRC during the summer of 1998.

Write to Congress!

Write to House members at:
Representative —
(name of your Representative)
House of Representatives
Washington, D.C. 20515
Write to Senators at:
Senator — (name of your Senator)
U.S. Senate
Washington, D.C. 20510

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On a positive note—at his press-conference when signing the Deadbeat parents Punishment Act, President Clinton said many positive things about fathers and their roles in children lives.

S. 97, introduced by Sen. John Kerry (D-MA), to amend the Internal Revenue Code to require the IRS to collect financial child support through wage withholding and to eliminate State enforcement of financial child support obligations other than medical support obligations. Referred to the Senate Finance Committee, (202) 224-4515. Similar to H.R. 2189, introduced by Rep. Henry Hyde (R-IL), referred to Human Resources Subcommittee of House Ways and Means (202) 224-4515. Urge your House member or Senator to offer a "balancing amendment" to provide IRS enforcement of any financial penalties for access denial that any state may impose, such as fines or court costs for missed access, for the same reason as stated in the note to H.R. 2925 above.

S. 1075, introduced by Sen. Christopher Dodd (D-CT), to provide demonstration projects to establish minimum financial child support payments. Referred to Finance Committee (202) 224-4515. Urge your House member or Senator to offer a "balancing amendment" to establish minimum access/visitation/parenting time of at least a third of the time on a year-round basis, because the Census Bureau says that parents with at least of the third of the time (joint physical custody) with their children pay up to twice as much in financial child support as parents with no access to their children.

H.R. 869, introduced by Rep. Christopher Cox (D-CA), to require a parent who is delinquent in financial child support to include his unpaid obligation in gross income and to allow custodial parents a bad debt deduction for unpaid financial child support payments. Referred to Human Resources Subcommittee of House Ways and Means, phone (202) 244-4515. Urge your House member or Senator to offer a "balancing amendment" to include unpaid visitation penalty in gross income and to allow noncustodial parents a bad debt collection for unpaid visitation fines or penalties.

H.R. 399, introduced by Rep. Michael Bilirakis (R-FL) to prohibit the provision of financial assistance by the Federal Government to any person who is more than 60 days delinquent in the payment of any financial child support obligation. A hearing was held on this bill in November, 1997, by the Committee on Government Reform and Oversight (202) 225-5074. Write your House member or Senator recommending "balancing" this bill with a provision prohibiting the same assistance to anyone 60 days delinquent in honoring a court's access/visitation order.

Book Reviews

It's Not Your Fault, KoKo Bear

By Vicki Lansky
34 pages, softback,
published by Book Peddlers,
Minnetonka, MN. $5.99.

This book features KoKo, the lovable unisex bear who doesn't like the divorce and doesn't want to have two homes. KoKo's experience will help children ages 3-7 learn what divorce means, how family life will change, and understand that the divorce is not their fault.

This is "a read-together book for parents and young children during divorce."

The book gives children a character who shares their anxiety about divorce and helps them understand that sad and angry feelings are natural. It also lets children know they are loved and will be cared for by both parents.

The book is written for parents who both plan to stay involved in parenting their children whether they have a sole or joint custodial arrangement. Each page provides short practical tips for the parents.

The author encourages parents to let this book travel back and forth to each parent's home so children hear the same message from both mom and dad.

The book ends by saying that one day KoKo's sad and mad feelings "are no longer very sad or very mad at all....

"Yes, KoKo has two homes and two parents.

"Yes, KoKo Bear's parents are divorced but KoKo Bear isn't divorced from anyone. MaMa and PaPa and KoKo Bear are all still a family...just a family apart."

Vicki Lansky has sold more than 3 million copies of her 30 books on parenting, including "Divorce Book for Parents," She is an advisor to the Children's Rights Council. The book is warmly illustrated by Jane Prince, who has illustrated three other "KoKo" books by Vicki Lansky–Koko Bear's New Potty, The New Baby at Koko's House, and Koko Bear's Big Earache.

Working Fathers

by James A. Levine and Todd L. Pittinsky
165 pages, hardback,
published by Addison Wesley Longman, Inc. $23.
Reviewed by Serge Prengel
President, CRC of New York City

The full title of this book is: "Working Fathers. New Strategies for Balancing Work and Family". At first glance, it seems remote from the preoccupations of many of the readers of this newsletter. It addresses a problem of juggling work and family those of us who don't see our kids would like to have!

So why am I suggesting you read this book? For one thing, it provides a larger context which I find very helpful to view the problems of divorced fathers.

This book is based on ten years of research by The Fatherhood Project at the Families and Work Institute in New York City. The title "Working Fathers" reflects the study's dual focus on men's changing dynamics around work and family. The book points out how men's commitment to their family (especially to their role as a father) is now at least as important as their commitment to work and career.

The book also cites surveys showing that a vast majority of American adults believe men should be "equally responsible" for taking care of children, including infants. So far, so good.

Difficulties Faced

What the book also points out is that, while the difficulties faced by working mothers have been well-documented in the media, the challenges facing working fathers have largely remained invisible. This is actually the point of the title of this book. "Working father" doesn't raise an eyebrow. But being a "working mother" is an admirable feat.

The book mentions the funny/sad story of a "test" showing how people–men included–underestimate how difficult it is for fathers to juggle both work and parental roles.

Much of the book is devoted to strategies for balancing the work-family equation. If we don't just think about our immediate problems, there's something very encouraging about getting a clear sense that there is a strong current toward changing patterns–that this involves not just the efforts of isolated fathers here and there, but also women, and, perhaps most importantly, corporations.

When business gets involved in a social trend, not only does it make it easier in a practical way; it also makes it more acceptable.

Regarding the part of this book that talks about how fathers can increase their connection with their kids, there are two ways we as divorced fathers can read it.

One is to focus on how much more difficult, and sometimes impossible, it would be for us to follow some of these suggestions.

Personally, I was struck by something else - how similar the situation of many non-divorced fathers may be to ours. Not because of their wives or the courts. In many cases, it's just "the pressures from work".

In other words, there is a societal pressure that is reflected in the way many married working fathers see their role as fathers–they perceive themselves as not able to do the things they'd like to do with their kids because of overwhelming pressures beyond their control.

To these fathers, the book suggests: "Change, don't blame the culture". This piece of advice is given within the context of a book that aims at changing the system. It is given by people who are actually doing something to change the system by converting corporations to new ways of dealing with working fathers.

(Note: James Levine, the co-author of the book, president of the Families to Work Institute in New York City, is a longtime advisor to CRC).

Around the Country

Welfare Reform at White House

At a White House ceremony on welfare reform August 4, 1998, President Clinton announced that from now on, low income two parent families will be eligible for medicaid. Too often in the past, Clinton noted, only single parents could obtain public housing, welfare, food stamps, and other government benefits. One by one, he noted, low-income two-parent families are becoming eligible for such benefits. The idea, he said, is to not discourage marriage for fear that low-income parents will lose benefits.

CRC President David L. Levy was invited to the White House ceremony where this announcement was made.

Grandparents Visitation

An article in the Washington Post on August 9, 1998, told of several cases in the Washington area where grandparents were fighting for time with their grandchildren in intact family situations.

In June, 1998, Virginia's highest court ruled in favor of the right of parents to block visitation by the grandparents, unless life without the grandparents would cause "actual harm to the child's health or welfare."

But in Maryland, lawyers say grandparents have a better chance to see their grandchildren. This is because Maryland's law states that judges can award a grandparent visitation if it is in the best interest of the child, a lower standard.

CRC President David L. Levy was quoted in the article as saying

"Too often, children do not have enough adults in their lives who love them. If people want to love them and want to take care of them, let them."

Several years ago, at the urging of the late Sonny Burmeister, who was CRC's Georgia coordinator, CRC polled its chapters, and all the chapters participting in the poll favored children's right of access to grandparents, even in intact family situations.

Vermont Establishes "Parentage"

Vermont officials have weighed in to Congress with a recommendation that the term "parentage" be used around the country, rather than "paternity."

States generally only seek to establish "paternity" to obtain financial child support compliance. But Vermont has pioneered the use of the word "parentage" to make clear that parents have mutual rights and responsibilities, for child support, custody, and access to the child.

The Vermont forms do not state what amount of support, custody, or access parents have, only that such arrangements must be worked out.

Following testimony by Vermont Child Support Director Jeff Cohen to the Congressional Subcommittee on Human Resources, House Ways and Means Committee (phone 202-225-1025), Con Hogan, Vermont's director of social services, wrote to the subcommittee that "all states should adopt parentage forms."

In Vermont, parents have "Parental Rights and Responsibilities" (formerly known as "custody") and "Parental-Child Contact" (formerly known as "visitation").

Vermont has the second highest rate of acknowledgements of parentage in the U.S. by fathers (94 percent), attributable in part to the fact that fathers realize Vermont wants them to be parents as well as financial child support providers, Hogan indicated.

CRC members in Vermont were instrumental in encouraging Vermont to adopt such 3-part forms.

Gail Sheehy Uses 'Deadbolted Dads' Term

In a Fathers' Day article in the New York Times on June 21, 1998, noted national author Gail Sheehy used a new phrase, "Deadbolted Dad".

She said "The cliche is the Deadbeat Dad. The newer reality is the Deadbolted Dad—locked out of his children's hearts after divorce...

"Close to four million divorced fathers in the U.S. do pay child support. In many cases, these are men who have fought for joint or full custody, and lost. Even when they demand more time with their children, they find that little attention is paid to enforcing or honoring their visitation rights."

A free copy of the article is available from CRC for CRC members. Nonmembers, send $5 for postage and handling.

CRC would only add that thousands of non-custodial mothers, as well as grandparents and other relatives, are also "deadbolted" out of children's lives.

Amicus Briefs

CRC recently filed two amicus curaie (Friend of the Court) briefs. They are:

u a brief filed in Montana supporting joint custody in a case that is on appeal in that state. CRC argued that joint custody is in the best interest of the child unless proven otherwise.

u a brief filed in connection with a case against Icelandic Airlines in New York. Icelandic had allowed a custodial mother to flee the U.S. with her child, the brief argues, even though it knew that a court had prohibited the child's move to another country. The case arises under the Hague Convention against international child abduction.

There is no word yet of the disposition of either case on appeal.

Michael L. Oddenino, CRC's general counsel, writes CRC's amicus briefs.

If your case is on appeal, and you would like CRC to consider writing an amicus brief, contact CRC. CRC can not handle cases at the trial level, and we do not write the main appeal brief. An amicus brief is a supplemental brief, telling the court why this case is of significance not only to the parties in the case, but to other children and families as well. We generally need 30 to 60 days before the filing deadline.

Inside CRC

Engel is New Advisor to CRC

Margorie Engel, who became president of the Stepfamily Association of America (SAA) in January, 1998, is CRC's newest advisor. She replaces Judith Bauersfeld, the outgoing president of SAA. Because SAA is an affiliate of CRC, the president of SAA becomes an advisor to CRC.

Engel

Margorie is a member of the Massachusetts Governor's Commission on Responsible Fatherhood and Family Support. Most of the Commission's work so far has studied the plight of teen, unwed, and low income fathers. Engel has been pushing the Commission to also consider the needs of divorced and remarried fathers, and she has been promised that the Commission will look into those issues starting this Fall.

She recently finished her Ph.D. in law, policy, and society at Northeastern University. She is the author of several books, including "The Divorce Decisions Workbook" and the recently published "Weddings: A Family Affair: The New Etiquette for Second Marriages and Couples with Divorced Parents."

She lives in Boston, is remarried, and has five daughters, four granddaughters, and one grandson.

"CRC and Margorie Engel have a long cooperative relationship," said CRC Massachusetts Coordinator, Frank Anderson. "She is a fighter for parents' and children's rights." Engel said "the affiliation between CRC and SAA is beneficial to both groups. I'm glad to be on board."

Mediation, Moveaway Help

Leslee Newman, J.D., who has been giving free consultations on moveaway issues to CRC members, is available for mediation consultations (at a fee). Leslee, who is a trained mediator, can be reached at 714-282-1515. Her husband Don Smith, Ph.D., clinical psychologist, is available for child custody evaluations. Don's number is 714-939-6678. Don and Leslee are both in Orange County, California, but can handle cases anywhere in the country.

CRC Guideline Available

Copies of the model child support guideline prepared by CRC that is based on a child having two parents are still available from the federal government.

If you would like to contact Don Bieniewicz, author of the guideline, for his assistance in getting this guideline adopted in the states, write him at 10004 Fairoaks Road, Vienna, VA 22181, contact him via email at DonBien@erols.com, or phone 703-255-0837 (evenings).

Donors are Appreciated

CRC thanks everyone who contributes to CRC in the charity drive that takes place in all federal government offices every Fall. CRC is listed as number 1513 in the Children's Charities of America listing, which is part of the Independent Charities of America. We also thank those who contribute to CRC in the Washington, D.C., and San Francisco (Bay Area) United Way campaigns.

We also thank those who contribute to CRC through their United Way in some other part of the country, where we are not listed, but where employers may sometimes allow employees to designate CRC.

CRC depends on volunteer help and contributions for its existence.

If you wish to make your tax-deductible contribution directly to CRC, send it to CRC, 300 I Street, Suite 401, Washington, D.C. 20002.

CRC on Internet

Bruce Kaskubar, CRC coordinator in Minnesota, maintains CRC's site on the Internet Worldwide Web. For those of you with a browser, the home page's URL is http://www.vix.com/crc/ Bruce likes to field questions about CRC from individuals, as well as members of other groups.

Intellectual Property Protection

Charlie Ruggiero, who obtained trademark protection for the name and logo "Children's Rights Council" and the name and logo for our newsletter "Speak Out for Children" is a specialist in trademark, patent, copyright, and licensing law. He is a partner in the law firm of Ohlandt, Greeley, Ruggiero and Perle, 1 Landmark Square, Suite 903, Stamford, CT 06901, telephone (203) 327-6067.

Beat the Tax Man: Contribute to CRC

If you wish to consider leaving a bequest or property to CRC, please let CRC know of your generosity.

Contact your accountant or tax advisor on the best way to structure any such bequest.

Or contact CRC, and we can suggest an accountant or tax advisor to assist you.

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Change of Address

To keep newsletters and other materials coming, please notify CRC three weeks in advance of any address change.

Send old and new addresses to CRC, 300 "I" Street N.E., Suite 401, Washington, DC 20002.

Chapter News

Candlelight Vigils Held in 20 States for Equal Parents' Week

Candlelight Vigils were held in 20 states to celebrate Equal Parents' Week, Wednesday, July 29 at 8 p.m. CRC chapters, and other groups, held vigils in Alabama, Arkansas, California, Florida, Georgia, Indiana, Kansas, Massachusetts, Michigan, Missouri, New York, New Jersey, Maryland, North Carolina, Ohio, Oregon, Pennsylvania, Virginia, Washington, and Wisconsin.

A CBS-TV affiliate covered a vigil in the Malibu area of Los Angeles, and radio stations in New Orleans (WWL) and elsewhere reported on vigils. About 500 people attended a vigil sponsored by CRC's new Western Missouri chapter, headed by Bob Pilger; the vigil was featured on the front page of The Christian County Headliner newspaper.

Parents across the country tied or wore purple ribbons all during Equal Parents' Week.

They wore ribbons and held vigils to "spread the word that America must do more to assure every child has a father and a mother in their lives," said CRC National Parent Education Director, Elizabeth Hickey.

"It is long overdue that we recognize that 'the best interest of children' cannot be met unless we maximize the ability of both parents to raise and nurture their children," said Patti Diroff of California, CRC's National Coordinator of Equal Parents' Week.

CRC's New Jersey chapter, the New Jersey Council for Children's Rights (NJCCR), held the most vigils—six—in various parts of New Jersey. NJCCR is led by Dominick Romano.

"Patti worked tirelessly to spread the word about Equal Parents' Week," said Romano.

Equal Parents' Week followed National Parents' Day (NPD) on July 26, the brainchild of Belinda Rollins, head of the National Parents' Day Coalition in Washington, D.C.

Equal Parents' Week and National Parents' Day share the mutual objective of strengthening the role parents play in children's lives.

For advance planning for next year's Equal Parents' Week, contact Patti Diroff at 909-591-3689.

Services for D.C. Parents

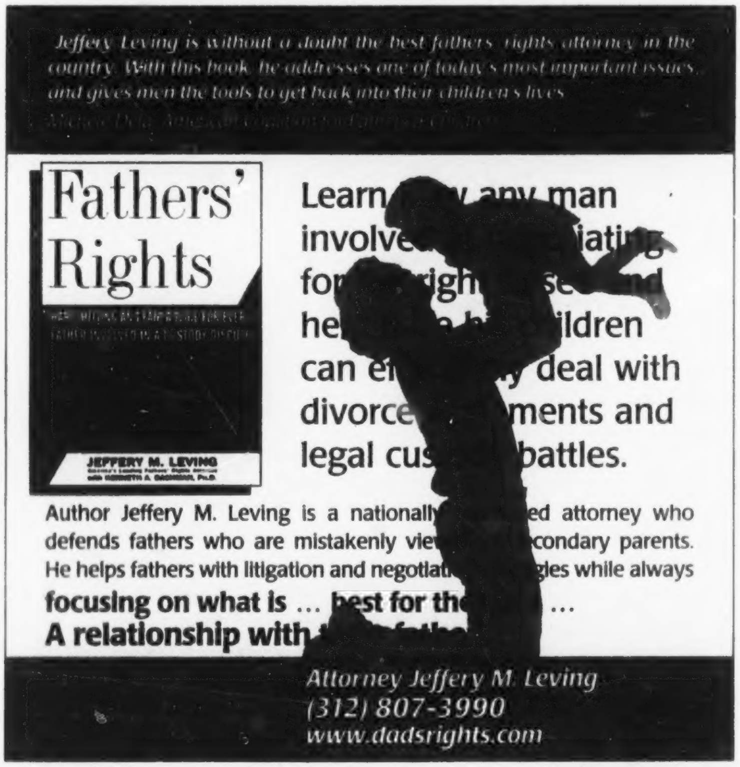
CRC's Washington, D.C. chapter is now performing services for all D.C. residents. These services include: mediation, supervised visitation, neutral drop-off and pick-up of children, parenting agreements and counseling. For appointments, contact Frank Banner, CRC's D.C. coordinator, at the Hillcrest Children's Center, phone 202/232-6100. For information on the teen parent and mentoring programs, ask for Mr. Banner. The D.C. chapter's program is half of a $50,000 grant from the Superior Court of Washington, D.C. of the District of Columbia.

The other half of the grant, telephone referral services, is being run by the national CRC office, phone 202-KID-3900.

Nebraska/Iowa is still CRC's largest chapter New York City is 2nd

Nebraska/Iowa, CRC's largest chapter, wishes to acknowledge volunteers at their Information Centers: Leah and Terry Mullen, Council Bluffs, Iowa; and in Nebraska—Debbie and Neal Faber, Alliance; Linda and Gaylord Dose, Hampton; Glen Burda and Helen Harwager, Lincoln. Chapter presidents and coordinators in Nebraska are Kurt Anderson and Kevin Waechter, Lincoln; Mike Hyland, Omaha; Chapter Coordinators are Suzi and J.D. Wicht, Gering; Kevin Lineweber, Beatrice; and Terry Wolverton, Norfork. Cindy Riekenberg is public relations and events coordinator for all chapters. State coordinators are Lyn and Bill Hurrter.

New York City CRC has become CRC's 2nd largest chapter for the first time! The chapter is headed by Serge Prengel. The group publishes a monthly newsletter and holds support group meetings at the YMCA Chelsea Center Building, 122 W. 17th Street, just west of Sixth Avenue, the first Wednesday of the month at 7 p.m.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National Affiliate Organizations

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Parents Without Partners (PWP)
Pat Boyd, president
401 N. Michigan Avenue
Chicago, IL 60611
312/644-6610
Members of PWP join CRC for only $20.00 a year.

Stepfamily Association of America (SAA)
Margorie Engel, president
650 J Street, Suite 205
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Joint membership in SAA and CRC: $35.00 for the first year

TELL ANY OF THE ABOVE ORGANIZATIONS THAT YOU WANT A JOINT MEMBERSHIP IN THEIR GROUP AND CRC.

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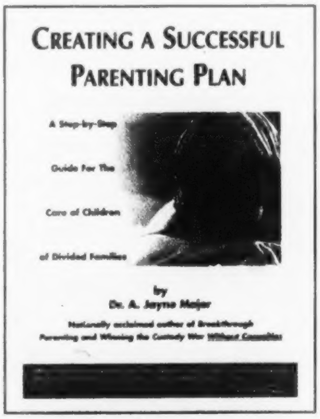

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Congress Passes Access (Visitation) Law

Andrews

Congress has passed a law that requires states to recognize each other's visitation findings. President Clinton signed the bill into law on November 12, 1998.

Promoted by its sponsor, Congressman Rob Andrews (D-NJ), as a grandparents' visitation law, the legislation also helps non-custodial parents, because visitation is visitation!

The new law, an amendment to Title 28, U.S.Code, Section 1738A (known before passage as H.R. 4164), passed unanimously in the House and Senate.

In House floor debate prior to passage on July 14, 1998 (see Congressional Record, Vol. 144, No. 93, page H 5437), Andrews said "Most American grandparents would believe that after a hard fought, very difficult, painful and expensive process of winning the right to visit their grandchildren in state court that they have won that right permanently, or at least until some negative circumstance occurs. Many of them have been shocked and chagrined to find out that is not the case. Very often, when the child moves to another state, the rights of the grandparents evaporate."

"Andrews could have substituted the word non-custodial parents every time he used the word grandparents," said CRC member Rob Whitfield, who monitors Capitol Hill legislation. "If you are a parent or grandparent with a valid custody or access (visitation) order in one state, and are being

Continued on page 3

Yes, 20 Percent of Children of Divorce Have Approximately 50/50 Shared Parenting

Some people were surprised at the article in our last newsletter (Summer/Fall 1998) which reported that approximately 20 percent of children of divorced families are in equal shared parenting situations.

We have double-checked, and the figure is correct!

Equal shared parenting means that there is approximately 50/50 percent sharing of time between two parents on a year-round basis. This figure has doubled since 1990, when only about 10 percent of children were estimated to be in equal shared parenting situations.

This estimate is based on data from the U.S. Census Bureau and the National Center for Health Statistics.

"These figures of equal shared parenting were higher than we anticipated," said Rick Kuhn, a CRC evaluator of research. "And these figures do not reflect situations in which there is less than a 50/50 split of time." Joint custody is generally defined as at least a third of the time on a year-round basis with a parent. 50/50 shared parenting is substantially more than that.

CRC Evaluator of Research John Guidubaldi, Ed.D., who teaches at Kent State and John Carroll Universities in Ohio, and who reviewed the data, said "these figures show the growing popularity of joint custody."

Guidubaldi said "This emerging trend gives reason for optimism about resources parents are able to offer children."

CRC is a member (Number 1513) of

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About CRC

The Children's Rights Council (CRC) is a nation-wide, non-profit IRS 501(c)(3) children's rights organization based in Washington, D.C.

CRC works to strengthen families through education and advocacy. We favor family formation and family preservation, but if families break up, or are never formed, we work to assure a child the frequent and continuing contact with two parents and extended family the child would normally have during a marriage. Our motto is "The Best Parent is Both Parents."

For the child's benefit, CRC favors parenting education before marriage, during marriage, and for parents who are unwed or separated. We work to demilitarize divorce between parents who are involved in marital disputes, substituting conciliation and mediation for the adversarial process, and providing for emotional and financial child support. We work to strengthen fragile families of children whose parents are unwed. We also favor school-based programs for children at risk.

Formed in 1985 by concerned parents who have more than 40 years collective experience in custody reform and early childhood education, CRC has chapters in 32 states and three national affiliate organizations: Mothers Without Custody (MW/OC), Parents Without Partners (PWP), and the Stepfamily Association of America (SAA).

Prominent professionals in the fields of religion, law, social work, psychology, child care, education, business, and government comprise our Advisory Panel.

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Access Law

Continued from page 1

asked to re-litigate the order in another state, cite this law. Even if your order pre-dates this legislation, the states should give full faith and credit to your order entered in another state."

Rep. Howard Coble (R-NC), said on the House floor that this bill "ensures that a visitation order granted to grandparents in one State will be recognized in any state where the grandchildren may be moved and thereby prevent grandchildren from losing contact with a valuable part of their family."

Rep. Barney Frank (D-MA) said "we are seeing a good deal of grandparent involvement in the raising of grandchildren, and the law has simply not caught up with that."

The Senate Concurs

In Senate floor discussion on October 21, 1998 (Congressional Record Vol. 144, n. 151, pages S. 12878, 12941, and H. 11699), Senator Joe Biden (D-DE), said "Under current federal law, states must give full faith and credit to the child custody orders of another state. A custody order is defined as including a visitation order. However, as evidence from around the country has shown, state courts often do not automatically recognize visitation orders, particularly when it is a visitation order for someone other than the child's parents, such as grandparents. State courts are supposed to honor such orders, but it is often an arduous process getting them to do so. This legislation simply clarifies that the full faith and credit law includes visitation orders...It hopefully will eliminate the hassles, obstacles, and delays that too often confront those who have valid visitation orders and are asking only that federal law be followed."

Andrews said that a grandmother who is a constituent of his, Josephine D'Antonio, brought this problem to his attention 3 or 4 years ago, "and it was through learning of her story, as Mr. Coble has learned from many stories in his district, that we were able to work together, as Republicans and Democrats, to bring this bill to passage."

CRC members have met with Andrews several times in the past few years, acquainting him with access/visitation problems, but we cannot take any direct credit for this legislation. "Nevertheless, talking about access issues helps plant seeds, and helps bring other seeds to germination, to paraphrase the Bible," said Whitfield.

Andrews thanked Congress members Coble, Frank, Henry Hyde (R-IL), chairman of the House Judiciary Committee, which cleared the bill, and John Conyers, ranking Democrat on the House Judiciary Committee, for their help in passing the legislation.

Letters to the Editor

Editor:

There has been much recent talk about the quality of life issues and how it is deteriorating for a lot of individuals in the metro Atlanta area. With the divorce rate at around 50%, issues that need to be addressed concern child custody and access (visitation).

On a personal note, because of financial constraints, I represented myself pro-se in front of Judge Richard Winegarden in Gwinnett County, Georgia, Civil Action File #96A64265 Georgia. After five continuances granted to my ex-wife's attorney, Ms. Phyllis Miller, I finally was able to go before the judge. This consumed more than a year and a half.

The final result by this judge's order is that I can only see my children for a total of 13 hours a month. Nothing ever happened concerning contempt charges I filed for custodial interference. To be denied seeing one's children for that long a period and to have to wait that long to go to court in Gwinnett County is a total disgrace.

Also, to add insult to injury, I was assaulted by my ex-'s new husband trying to pick up my children. After witnessing many non-custodial parents with similar horror stories, it is obvious that something needs to be done. Creating a family court is one important element. Also, there needs to be more protection for non-custodial parents. Legislatively, more joint custody also seems to be a key element.

Children need and want time with both parents. The current judicial system should not have the right to discriminate against one parent simply because they want to spend time with their children.

Feel free to contact me anytime.

Edward Bienkowski.
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Editor:

The average court battle starts off like a re-run of the Jerry Springer show. Everyone accuses each other of things and most of the things are not necessarily true. It's just that they are afraid if they don't make the other parent look as bad as they can, they will lose their rights as a parent.

Since the establishment of the Washington, D.C., chapter of CRC in July 1998, our mediation program has helped many families find a peaceful means to settle disputes. We understand that the courts just don't have the time or manpower to address every issue without there being some delay. One couple referred to the services of the D.C. chapter of CRC stated that the court gave them an appointment two months later for a mediation hearing. When someone tells you that their house is on fire, two months from now will be too late to put the fire out.

Frank W. Banner, Jr.
Coordinator
CRC of Washington, D.C.

Editor:

Kenneth Starr spent $40 million on his investigation of Clinton, to find what? If we spent the same $40 million on something constructive, such as making sure that access was enjoyed by children with both of their parents, just think how much better those children's worlds would have been.

Joy Muller
Alberta, Canada

!!News Flashes!!

* Rep. Clay Shaw, R-FL, who as chairman of the Human Resources Subcommittee of the House Ways and Means Committee, helped pave the way for welfare reform, and approved the $10 million each year in access/visitation grants to the states, has been asked to head the Social Security Subcommittee in an apparent effort to help save Social Security. The new head of the Human Resources Subcommittee is Rep. Nancy Johnson, R-CT. Ron Haskins will continue to be majority staff director to the subcommittee under Rep. Johnson.

* "Still a Dad", The Divorced Father's Journey, by CRC's own Serge Prengel, was just published with praise from Warren Farrell, Karen DeCrow, James A. Cook and John Gaurnaschelli, Ph.D. Order from CRC, 224 pages. $13.95, SB252.

Federal Courts May Decide When Two States Compete for Jurisdiction

Coble

The visitation law reported on pages 1 and 3 also overturns a 1988 U.S. Supreme Court decision that prevented federal courts from deciding which of two competing states had jurisdiction to decide a custody or visitation matter.

In a case in which Louisiana and California both claimed jurisdiction in a long-simmering custody case, the Supreme Court ruled in 1988 in Thompson v. Thompson that federal courts could not decide which state, Louisiana or California, had rightful jurisdiction. So the dispute between Louisiana and California had no legal resolution.

Rep. Howard Coble (R-NC), said on the House floor that the new visitation law (Title 28, U.S. Code) "restores to Federal courts subject matter jurisdiction to determine which of two conflicting state court custody determinations or visitation determinations is valid based on which state is exercising proper jurisdiction. This will overturn a 1988 Supreme Court decision which held that various federal courts did not have such jurisdiction, even though federal courts had already been hearing these types of cases for years. The decision resulted in conflicting state court decisions with no mechanism to determine which order was valid." (See Congressional Record Vol. 144, No. 93, July 14, 1998, page H5438).

Former Senator Malcolm Wallop, the original primary sponsor of the Parental Kidnapping Prevention Act (PKPA), was asked several times by CRC and other advocates to have Congress overturn the 1988 Supreme Court decision, but he never introduced such legislation.

"We are grateful to Congress for plugging this loophole to avoid excessive litigation, and for increasing the role of the federal judiciary in cases when federal courts need to become involved to correct state wrongs," said CRC General Counsel Michael L. Oddenino.

Former Representative Gerald Solomon (R-NY) also spoke in favor of the bill.

CRC on Internet

Bruce Kaskubar, CRC coordinator in Minnesota, maintains CRC's site on the Internet Worldwide Web. For those of you with a browser, the home page's URL is http://www.vix.com/crc/ Bruce likes to field questions about CRC from individuals, as well as members of other groups.

Mike Oddenino, CRC's General Counsel, has a new website. It can be reached at:

www.oandglaw.com.

(*Corrected from last issue.*)

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The Wall Street Journal
Tuesday, December 1, 1998

Fatherless Boys Grow Up Into Dangerous Men

by Maggie Gallagher

George Moody, a 60-year-old man from Hinesville, GA., had just checked into John's Resort in Haines City, Fla., for a family reunion in April. He opened his hotel door, and three teens in ski masks opened fire. When police arrived they found five members of Mr. Moody's family, including a 10-year-old girl, wounded. "It was a random shooting," Sheriff Lawrence Crow told the Miami Herald. "It doesn't make any sense."

This was the final act of a four-day shooting spree undertaken by three boys, all under 18. Just another crime in America, not shocking enough to make the national news. But according to a news report, "Kids and Violence," by Florida's Family First organization, all three gunmen had one thing in common: they came from homes broken by divorce or unwed parenting.

Coincidence? Between 1980 and 1990 the homicide arrest rate for juveniles jumped 87%. Following rapid changes in family formation in the 1970s, youth violence rose sharply in the 1980s and '90s, even while it declined for adults over age 25.

Such correlations are merely hints that fatherlessness causes crime. Until recently, scientific evidence has been hard to come by. Researchers had long suspected a link between father absence and crime, but few had access to the kind of large nationally representative database needed to rule out alternative theories. Since boys raised by single parents disproportionately come from disadvantaged backgrounds, maybe it was not fatherlessness but poverty or discrimination that put them at risk of crime.

Nor could most of these earlier studies distinguish between different sorts of disrupted families: Was it just children of unwed mothers who were at risk, or did divorce have similarly negative effects? Is a stepfather as good as biological dad? How much does remarriage, which dramatically raises family income, do to restore to children the protection of a two-parent home?

To answer questions like these, Cynthia Harper, a demographer at the department of obstetrics and gynecology at the University of California, San Francisco, along with Princeton's Sara McLanahan, one of the nation's top family scholars, undertook what few researchers had in the past: a longitudinal look at how family structure affects serious crime, using a large national database, the National Longitudinal Survey of Youth. Their study offers a unique opportunity to calculate the true costs of family breakdown and to compare

(Continued on page 6)

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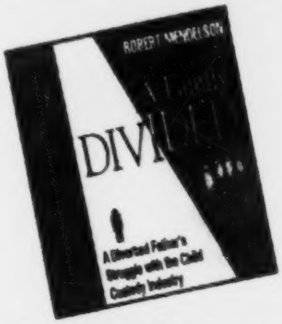
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Many states have decided how they will spend the second round of access/visitation grants, but not all states have actually distributed the funds. Non-profit groups are eligible to receive funds from the states, and are urged to contact state officials in charge of the grants.

For information on who handles the grants in your states, contact CRC. CRC will help you write a grant proposal, if we can.

Small states each received $50,000 in the second round (as they did last year), with the average grant, including those for the larger states, totaling about $190,000.

Under the third round of grants scheduled for the summer of 1999, each state will receive at least $100,000, according to David Arnaudo, an officer in the federal Child Support, who oversees the grant process to the states.

This means that funding for small states will go up, while funding for larger states, which received $400,000 or more each of the first two years, will likely receive less, said Arnaudo.

CRC and our chapters need grant and proposal writers.

Fatherless Boys

Continued from page 5

different theories about the "root causes" of crime.

Ms. Harper and Ms. McLanahan followed 6,403 boys who were between the ages of 14 and 22 in 1979, up through their early 30s. They controlled for family background variables such as mother's educational level, race, family income and number of siblings, as well as neighborhood variables like the proportion of female-headed families in the neighborhood, unemployment rates, median income and even cognitive ability.

Here is what they found: Boys raised outside of intact marriages are, on average, more than twice as likely as other boys to end up jailed, even after controlling for other demographic factors. Each year without a dad in the home increases the odds of future incarceration by about 5%.

Boys raised by unmarried mothers are at greater risk, but mostly, it appears, because they spend more time without a dad. A child born to an unwed mother is about 2 1/2 times as likely to end up imprisoned, while a boy whose parents split during his teenage years was about 1 1/2 times as likely to be imprisoned.

Child support made no difference one way or another in the likelihood a boy will grow up to be a criminal. And sadly remarriage made things worse: Boys living in stepparent families were almost three times as likely to face incarceration as boys from intact families.

In fact, notes Ms. Harper and Ms. McLanahan, "the odds for youths from stepparent families are similar to those for youths who do not live with any parents, although these children, in addition to not having any parents care for them, are selected for more difficult family circumstances."

Apparently stepfathers and children frequently compete for the time, attention and resources of the biological mother. Ms. Harper cautions, however, that "there may be lots and lots of households that benefit enormously from a stepfather. These are large national averages."

Poverty did make it more likely that a boy will be incarcerated as an adult. But "family structure was more important than income," reports Ms. Harper, though she'd like to see that finding replicated using other, more reliable income data.

Though Ms. Harper and Ms. McLanahan's data don't prove this, I think their evidence suggests that, while the structural advantages of marriage (more time, more supervision and more money) helps, the attachment between father and son may be the key. Fathers teach their sons lessons, directly and indirectly, about what it means to be a man. When boys identify with fathers who are loving and available, the likelihood lessens that they will define their masculinity in terms of rebellion and antisocial aggression.

Ms. Harper and Ms. McLanahan, for example, found that the very small number of teenage boys living with just their single fathers were no more likely to commit crimes than boys in intact families. But boys living with remarried dads faced rates of future incarceration as high or higher than boys living with remarried mothers. Why? Perhaps because men who don't marry but care for their children single-handedly are unusually devoted fathers.

"Adolescents face a lot higher risks today than they used to," says Ms. Harper. "Fathers may be even more important than in the past." Yet as the importance of fathers has grown, the likelihood that they're around has fallen. By their teenage years, almost 40% of boys in Ms. Harper and Ms. McLanahan's study were not living with both their parents.

Since 1970, the divorce rate has doubled and the out-of-wedlock birth rate has tripled. Today, according to the latest Census Bureau statistics, one-third of all births, and 44% of first births, are to unmarried mothers. The first heart-breaking victims of this revolution in social behavior may be the children of single parents themselves. But as George Moody found out, they are not the only victims.

Ms. Gallagher is an affiliate scholar at the Institute for American Values, New York City, and is a nationally syndicated columnist.

Levy

The CRC View

by David L. Levy

Meetings are being held in Washington these days which indicate a new way of thinking—that fathers are as important as mothers for healthy child development.

Such meetings, and such thinking, would have been impossible in high level Washington circles just a a few short years ago.

Congress, the White House, and private think tanks are all involved in this exciting new approach. We hope it means that there is finally a widespread realization that "The Best Parent is Both Parents."

Some examples:

◆ NPCL (the National Center for Strategic Non-Profit Planning and Community Leadership), which works with fragile families—low income, unmarried parents—is arguing that low income fathers cannot pay financial child support until they have jobs. They are not saying that financial child support is unimportant—only that society cannot expect low income, unmarried fathers to pay support unless they have jobs and job training. Everyone will be better off if people can be helped to get jobs. NPCL, which is funded by the Ford Foundation, is helping to establish programs to help fathers obtain jobs.

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Contact the national office or the chapter nearest you to ask about their needs.

THANK YOU.

◆ Key Republicans in Congress, including Bill Archer (R-TX) and Clay Shaw (R-FL), have introduced a bill to provide $2 billion a year for fatherhood programs, primarily to assist unwed fathers. The idea is to encourage marriage and emotional and financial support of children.

◆ Not to be outdone, the White House, led by Vice President Gore, is expected to soon introduce a large father-oriented spending bill of its own. The Democratic version will probably not be tied to encouraging marriage as much as the Republican version. But it will definitely be designed to encourage better parenting. The fact that both Republicans and Democrats will be vying for your support for fatherhood programs, each saying "My proposal is the best," shows just how far the idea of parenting for children of unwed, separated, or divorced parents has come!

◆ Congress is also sending signals that the federal government, which up to now has paid for almost all the costs the states incur in running the child support system, may make the states foot more of the bill.

This has led to discussions about how federal and state officials can provide more "program services." Five years from now, if you walk into a child support office, it may not be just to pay or collect support, it might also be to get information on jobs, access/visitation, parenting education, parenting plans, and a variety of other services and programs. Your bureaucratic child support office may become a "one-stop" shop for a variety of friendly help. The idea is that people will be more likely to support their children if they are getting access to services and programs. And if parents get the services they need, state costs for running the child support program may go down. Parents gain, children gain, states gain.

Imagine—a family friendly financial child support office!

◆ Private groups like the research-oriented Urban Institute in Washington, and the National Center on Fathers and Families in Philadelphia are holding joint meetings to discuss fatherhood. There is a level of agreement among groups attending those meetings representing women, fathers, children, government, private industry, and think tanks that would have been unthinkable a few years ago.

CRC has been invited to participate in a variety of these governmental and private sector meetings in recent months. And we are surprised with the level of agreement that we have witnessed.

Public and private organizations, think tanks, women's groups, fathers' groups, children's groups, that would have had sharp disagreements a few years ago may not see everything eye-to-eye, but they reflect a growing consensus that "the Best Parent is Both Parents."

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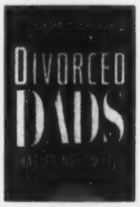

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REPORTS

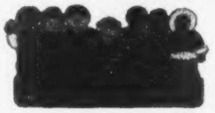
UPDATED 1997, Interference with Access (Visitation) as a Tort. Not a frequent remedy, but one that may be available.

R116 -- $10.00

Challenging the Washington, D.C. Child Support Guidelines, Willing challenge filed by CRC and the Greater Washington Area Chapter of the National Women's Bar Association attacking the substance and procedure for the adoption of the D.C. guidelines.

LB-104 -- $10.00

PINS AND BUTTONS



The famous "Children First" pin. 8 colors, with figures of seven children standing on a field of green with logo "Children First." Two prongs. 3/4" high, 1 1/2" wide.

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Locating Missing and Hidden Children

Wuwert

The federal government is making efforts to ensure that children missing from non-custodial parents can be located, but some local officials are apparently resisting this effort.

Virgil Chase of Maryland, and Don Schulte of Ohio, are two non-custodial parents who have not seen their children for months. The children's whereabouts are being concealed by the custodial parents.

Both parents pay financial child support through child support agencies. The money is sent to the custodial parents, whose whereabouts are known to child support officials, but have not been revealed to the non-custodial parents.

"Local officials are used to thinking only in terms of finding parents who owe financial child support, so some of them aren't ready yet to find children being hidden by the custodial parent," said Margaret Wuwert, CRC coordinator for Ohio, who has been working to help Schulte find his children.

Shulte's two daughters are Leslie, 15, and Libby, 13; he has seen them only once in the past four years, when he located them temporarily at their grandparents' house over the 1997 Christmas holidays.

An official in Wood County, Ohio, where Shulte's case is located, said in minutes of a Wood County child support task force meeting that they "are not driven by federal law."

"Of course they are driven by federal law!" said Wuwert.

Wuwert set up a press conference in Toledo on December 4, 1998 to draw attention to the problem of children being hidden by the custodial parent.

Wuwert invited CRC President David L. Levy to the press conference, and Wuwert and Levy invited Frank McLaughlin, the local child support director to the press conference, also.

To their pleasant surprise, McLaughlin showed up. Wuwert and Levy explained to him that federal law now "directs" child support offices to obtain information on the whereabouts of the child and give it to the local court.

The court is then required to convey the information to the parent, unless there is evidence of domestic violence.

"We hope for a positive resolution of this case soon," said Wuwert.

"There have been numerous complaints over the years about children being hidden by custodial parents, with perhaps the most outrageous cases involving parents who pay financial child support, but still could not get to see their children," said Levy.

"The faces of parents paying support but who cannot get to see their children are the saddest faces we ever see," a child support official told Levy 10 years ago.

Congress Responded

Congress responded to these complaints by expanding the Federal Parent Locator Service in the 1996 welfare reform law, and modifying it slightly in 1997 legislation.

E. Clay Shaw, Jr., Chairman, Human Resources Subcommittee, Ways and Means Committee, wrote a letter in the Washington Times July 3, 1998 that Chase, who had been featured in an earlier Times story, was entitled to be told the whereabouts of his child, absent domestic violence or child abuse (See reprint of letter in Summer/Fall "Speak Out for Children").

In a follow-up to Shaw's letter, federal child support Commissioner David Gray Ross sent a letter August 12, 1998 to all IV-D (child support) agencies around the country emphasizing that the FPLS is available "for the purpose of determining the whereabouts of a parent or child when the information is to be used to locate the parent or child to make or enforce a child custody or visitation determination."

Chase

Ross's letter said:

◆ only an "authorized person" as determined by federal law (42 U.S.C. 663(d)(2), is entitled to request the information. The State Parent Locator Service (SPLS) established in each state further states in 45 C.F R. 302.33(c) that an "authorized person" means:

◆ any agent or attorney of any state having an agreement under 42 U.S.C. 663, who has the duty or authority under the law of that state to enforce a child custody or visitation determination, and

◆ any court having jurisdiction to make or enforce a child custody or visitation determination, or any agent of such court.

Although Shaw's letter to the Times said that "the father's lawyer" is an authorized person, Ross's letter states that the father's lawyer is not an "authorized person" under the law.

"The Human Resources Subcommittee has been informed of this discrepancy, and we hope that the law will be changed so that the non-custodial parent's lawyer will be considered an authorized person in the future," said Stuart Miller, senior legislative analyst for the American Father's Coalition, who was instrumental in convincing Shaw to write the letter to the Washington Times in August 1998.

Continued on page 14

FAMILY FACTS

Photocopy and distribute the "Family Facts" on the next page! Use as hand-outs when visiting the Legislature, disseminating information to the courts or the media, or as a resource for testimony and Letters to the Editor. "Family Facts" is a regular feature of this newsletter. Send us your verified facts (with actual copies, sources and dates) to "Family Facts," CRC.

Physical Joint Custody Helps to Reduce Subsequent Divorce Rate

Here's one way to cut down the divorce rate: Whenever practical, require divorced parents to share custody of a child, rather than giving custody to just one parent, say Richard Kuhn of the Children's Rights Council and John Guidubaldi of Kent State University.

Divorce rates are plummeting in states where courts typically award custody of children to both parents, while states with policies that favor sole custody have significantly more divorces involving couples who have children, according to Kuhn and Guidubaldi.

The researchers found that states with higher levels of joint custody awards in 1989 and 1990 "have shown significantly greater declines in divorce in the following years through 1995, compared with other states." Their conclusions are based on 19 states for which appropriate data were available, including Michigan and Pennsylvania, as well as Montana and Nebraska.

Over-all, divorce rates declined nearly four times faster in high-joint custody states, compared with states where joint custody is relatively rare. One big reason is that joint custody "removes the capacity for one spouse to hurt the other by denying participation in raising the children."

from The Washington Post, Sunday, January 25, 1998

Divorced Dads: Shattering the Myths

The idea that joint legal custody is actually a benefit for custodial mothers is championed by many feminists. Karen DeCrow, a former national president of NOW, claims, "It's going to be difficult for women to achieve equality in the workplace or the political arena if they are left with all the responsibility of raising their children."

"Even after adjusting our research to account for all differentiating predisposing factors, we still found considerable benefits to recommend joint custody. Children in joint custody were significantly better adjusted and exhibited less antisocial and impulsive behavior than sole custody families."

"By reaching the couple at an early state, before their debating positions become fixed, divorcing-parent education programs hope to prepare parents and children for what lies ahead, and encourage civil relationships."

"The tale that fathers tell of being driven away, feeling lack of control over how their child is raised, feeling parentally disenfranchised, has arisen in virtually every study conducted since ours."

From "Divorced Dads: Shattering the Myths" by Sanford L. Braver, Ph.D., with Dianne O'Connell, Tarcher/Putnam, 1998.

Women More Financially Risk-Averse

When it comes to managing money, women tend to be much more risk averse than men. That's not terribly surprising when you consider that the world of investing is often new territory for women. It's natural to exercise caution when you're not sure what lies ahead.

"As women learn more about investing and more about the concept of risk versus reward, chances are they'll stretch their comfort level to accommodate their common sense and their need for diversification. The goal here is not to feel comfortable investing in pork belly futures. but to understand the difference between taking a risk and taking a flyer."

From Money-Smart Divorce: What Women Need to Know About Money and Divorce, Esther M. Berger, CFP, Simon & Schuster, 1996.

From Volume 13, Number 3, Winter 1999, *Speak Out for Children*, newsletter of the Children's Rights Council
300 'I' Street N.E., Suite 401, Washington, D.C. 20002-4389 phone (202) 547-6227

Domestic Violence Victims to get New Social Security Numbers

Gore

Vice-President Gore announced a new effort on November 4, 1998 to help victims of domestic violence escape their abusers—a federal policy that will make it easier for victims to change their social security numbers.

"Today, our message to the victims of these hateful crimes is this: we will offer you the protection you need to regain your safety and rebuild your life," Gore said. "You have suffered enough without having to fight for the protections you need to start a new life for yourself and your children."

For the first time, victims of domestic violence will be able to get a new social security number simply by providing written affirmation of their domestic abuse from a third party, such as a local shelter, treating physician, or law enforcement official.

The Social Security Administration's (SSA) employees in field offices nationwide will work closely with local domestic violence shelters, the police, the courts, treating physicians, medical facilities, and psychologists to help victims of domestic violence get the documentation necessary to secure a new social security number.

A press release from Gore's office said that previously, the SSA required victims to provide proof that their abuser had misused their social security number. For victims of domestic violence, providing this kind of proof was extremely difficult—only victims who were severely abused or who were in danger of losing their lives were allowed to change their social security number.

Gore added that to improve its services to victims of domestic violence, the SSA will post on its website the steps a victim needs to take to change their social security number and provide important referral information.

Gore also announced a Presidential directive for the Office of Personnel Management (OPM) to prepare a resource guide that will: (1) assist victims of domestic violence by providing up-to-date information about available resources and outline strategies to ensure safety; and (2) help those who know anyone who is being abused to prevent and respond to the situation. This guide will list private as well as public resources such as counseling, law enforcement, federal workplace leave policies, and substance abuse programs.

In addition, Gore highlighted a new booklet, "Protecting Victims of Domestic Violence: A Law Enforcement Officer's Guide to Enforcing Orders of Protection Nationwide," that outlines the meaning of the Violence Against Women Act's requirement to give full, faith and credit orders of protection for victims of domestic violence. This booklet was written by the International Association of Chiefs of Police with a grant from the Justice Department. It will be disseminated to law enforcement officers nationwide to teach them how to enforce protection orders.

Gore's office is at (202) 456-7035.

Note: CRC wants to be sure that the new social security numbers are used to protect real victims of abuse, not to interfere with legitimate parenting time or to reward false accusations of abuse. "We must contact the Vice President, and our own Senators and House members to make certain there are sufficient safeguards to prevent misuse of this new system," said Ms. Lyn Huerter, CRC co-coordinator for Nebraska/Iowa.

Huerter asked that CRC members send replies from Gore and their House and Senate members to her at P.O. Box 45387, Omaha, NE 68145-0387.

Locating Missing and Hidden Children

Continued from page 12

To be sure you obtain help from a currently constituted "authorized person," the non-custodial parent should write to an appropriate state official for information on the whereabouts of his child. Examples of such officials to whom you may write as stated in Ross's letter are:

◆ officers employed by the State, such as social workers and law enforcement officials, including a state's attorney empowered to act on behalf of the state to prosecute a parental kidnapping or child custody case.

◆ the court with proper jurisdiction to submit the request to the SPLS on the non-custodial parent's behalf.

The person making the request should provide information about the individual whose location is sought, including name and social security number. If the SSN is unknown, the IV-D agency must make every reasonable effort to ascertain the individual's SSN before submitting the request to the FPLS. See 45 C.F.R. 303.70.

Upon obtaining the information, the IV-D agency is required to send the information directly to the court or other authorized person that requested it .

If there is reasonable evidence of domestic violence or child abuse and the disclosure of such information could be harmful to the custodial parent or the child of such parent, the court must be provided with the information of the whereabouts of the child, but shall not discuss the information. 342 U.S.C. 653(b((2) and 654(26(E).

A parent should consider disputing the allegation of domestic violence or child abuse to the judge if the allegation is false, in order to press for release of the information in appropriate cases. CRC is advised that there is no evidence of domestic violence or abuse in either the Chase or Schulte cases.

Change of Address

To keep newsletters and other materials coming, please notify CRC three weeks in advance of any address change.

Send old and new addresses to CRC, 300 "I" Street N.E., Suite 401, Washington, DC 20002.

Around the Country

Missouri Requires Parenting Plan

A new law in Missouri requires the formation of a parenting plan prior to divorce. If two parents cannot agree on a parenting plan, then court-ordered mediation is required. If the problem still persists, then the parents go to court. “The whole point of the plan is to make parents communicate prior to the divorce regarding their child’s best interest,” says Karyn Stone, secretary-treasurer of CRC of Southeastern Missouri.

The new law also provides that if you are being denied access, you can go to the circuit court clerk and complete a simple form, which is a “Family Access Order.” You will be scheduled for a hearing within 14 days, and the hearing must be held within 60 days. The cost is $25.

At the hearing, the court can do 6 things under the new law;

1) grant compensatory (make-up) visitation;

2) require the custodial parent to attend a parenting class to enforce the importance of having both parents in a child’s life;

3) fine the custodial parent up to $500 to be paid to the non-custodial parent;

4) require the custodial parent to post a bond to ensures that future visitation will occur;

5) require the custodial parent to pay for counseling for the non-custodial parent and child to reestablish their relationship;

6) assess the custodian to pay present and past attorneys’ fees to enforce access orders.

“Some clerks have been swamped with people requesting the motions and filling them out,” says Stone.

Also, temporary custody will no longer have a bearing on who gets full custody. This doesn’t necessarily mean that joint custody will be granted, but the new law does contain a statement that unless there is a proven danger to the child, joint legal custody will be awarded. “The reference to ‘proven danger’ strengthens Missouri law,” said Stone.

“The law also makes it easier to remove a guardian ad litem, by allowing you to have one guardian ad litem removed from the case without showing just cause,” said Stone. “Otherwise you have to show cause, conflict, or some other specific problem with the guardian ad litem.”

Parents Can’t be Jailed Without Hearing or Legal Counsel

“The Rhode Island chapter of the American Civil Liberties Union (ACLU) and the Chief Justice of the Rhode Island State Supreme Court both deserve to be commended for their courageous and honest stand regarding matters of incarceration for non-payment of child support,” wrote Bib Vinik in the front page article in the November issue of The Children’s Advocate, the monthly newsletter of the New Jersey Council for Children’s Rights (NJCCR).

In June, 1998, The Rhode Island chapter of the ACLU made an application directly to the Rhode Island Chief Justice and effected the release of a man who had been held in prison for eight months on an accusation of non-payment of child support without even having been afforded a proper “ability-to-pay” hearing or given the benefit of legal counsel.

ACLU attorney Thomas Mirza stated “The Sixth Amendment’s guarantee of the right to counsel is clearly applicable in child support enforcement cases when the parent is faced with incarceration.”

Shortly thereafter, a similar case surfaced in Rhode Island, in which a woman had been jailed for non-payment of child support and held for nearly 2 1/2 years. Again the ACLU took up her case, and the state’s chief justice ordered her release.

Both cases will be given fair hearings by the state to determine if the defendant had the ability to pay or not, the NJCCR article said. Incarceration remains an option for refusal to pay support when the payor is able.

Many other states follow Rhode Island’s example, the article stated, but New Jersey, where “ability to pay hearings are unheard of”, does not.

Dobbs Advocates in New York

Dobbs in 1944

Wiley Dobbs, a lifetime member of CRC who lives in upstate New York, has bought 250 copies of every CRC newsletter for the past 5 years, to distribute to the governor of New York, and each member of the New York State legislature in Albany. “This helps with the educational process,” says Wiley, “and I urge people in other states to also distribute this important CRC newsletter to their governor and legislators.”

Dobbs & Michael

Wiley is concerned about children and what will happen to the next generation. He assisted C.B. Harper, who was pilot of the B-17 bomber on which Wiley was a left-waist gunner in World War II, to write a book entitled “Buffalo Gal” recounting World War II exploits, “so that the next generation will remember and learn from the past.”

Wiley is also paying for his grandson Michael to attend Northern Arizona State University in Flagstaff, after having sent Michael to military school for 6 years.

Wiley Dobbs, now in his mid-70’s, can be reached at 518/478-9112.

Continued on page 16

Moveaway Tougher Under New Model Law

"The divorce is final. Custody issues are settled. Dad is keeping active in his children's lives with frequent visits. But Mom has a dream job offer half a continent away. She wants to move there with the children. Can the father block it?" So asks Pamela Coyle, in an article titled "A Parent's Moving Checklist" in the February, 1998, American Bar Association (ABA) Journal.

"Dad's chances may be better if he lives in Louisiana, the first state to pass a relocation statute based on a model drafted by the American Academy of Matrimonial Lawyers," she notes. "The Louisiana version of the law puts the burden on the moving parent to show the change was proposed in good faith and would be in the best interests of the child." Some are hailing the law; others are blasting it "as restricting the ability of divorced women to start over," notes Coyle.

"But the controversy won't stop other states from adopting similar laws, according to family law experts.

Bennett Wolff, a New Orleans attorney, drafted the Louisiana law.

Adapted from The Liberator
email: rdoyle@mensdefense.org

Paul Schapiro and His Daughter

Dr. Paul J. Schapiro, who has been involved in one of the most bitterly contested custody battles in the U.S., reports success. His daughter Jillian, who had asked her mother and judges for several years for permission to live with her father, and was consistently denied, moved in with her father four months ago. Guess what? That's when Jillian turned age 18, and she could live where she wants! However, Schapiro's court saga is not over. He is suing his ex-wife Sarita, also a doctor, for $8 million, for denial of access and fraud in misrepresenting her income over the years. Schapiro lives in Jenkintown, PA. He can be reached at 215/576-6511.

Chapter News

New York City
United e-mail Campaign

Marla Gorfain and Serge Prengel, of CRC of New York City, have organized a national CRC e-mail "United for Shared Parenting" campaign.

Clinton

The aim is to gather the energies of hundreds of parents who believe that shared parenting should be "presumed" in custody cases.

Prengel and Gorfain issued a statement saying: "We are planning mass e-mail campaigns: everyone sends an e-mail on the same topic, the same day, to the targeted person or organization.

"There is strength in numbers, this is why we are organizing to do this. When hundreds of e-mail messages arrive at the same time on one person's desk, the impact is that of a mass movement. We can be seen!" "This campaign involves non-custodial fathers as well as non-custodial mothers who believe that the best parent is both parents. It is not just about how unfair the system is to non-custodial parents - it is about the harm it does to children.

"All it takes for the participants is the willingness to spend a few minutes each month to be part of a targeted national email campaign. What you have to do is send an email to a given target - at the same time as hundreds of other non-custodial parents do it. Are you willing to contribute a few minutes on your computer 1-2 days per month? If so, please let us know by contacting us at: united@betterdivorce.com"

Bill and Hillary Are Number 1

In November, Bill and Hillary Clinton received the first mass e-mail, about 300 e-mail messages, all on the same day, stating:

Subject: After divorce, The Best Parent is Both Parents

Dear President and First Lady Clinton,

It "takes a village" to raise a child. At the very least, it takes two parents.

Unfortunately, in divorce, our legal system all too often pits parent against parent, in the name of finding out "the best parent".

Shared parenting (aka joint legal and physical custody) after divorce is more beneficial to those whom our judicial system should be protecting: the children. I refer you to the Children's Rights Council's Shared Parenting web page for more information (http://www.betterdivorce.com/sharedparenting/).

At this time of year when we take the time to "count our blessings" and express thankfulness for all that we and our families have, you no doubt will be expressing thanks for your lovely child, of which we know you are most proud!

I hope that, in your weekly radio address, you will see fit to acknowledge the plight of those children of divorce who find themselves deprived of the loving care of one parent because of our adversarial divorce system.

National Coordinators: Marla Gorfain (mgorfain@chesapeake.net) and Serge Prengel (serge@divorcedfather.com)

Amicus Briefs

If your case is on appeal, and you would like CRC to consider writing an amicus brief, contact CRC. CRC cannot handle cases at the trial level, and we do not write the main appeal brief. An amicus brief is a supplemental brief, telling the court why this case is of significance not only to the parties in the cse, but to other children and families as well. We generally need 30 to 60 days before the filing deadline.

Inside CRC

There have been some changes in CRC!

Chairman of the Board

John Bauserman, Jr, an attorney for Legal Services of northern Virginia, member of the CRC board for the past year, was elected chairman at a board meeting on October 6, 1998.

John is the son of John Bauserman, Sr., who was a co-founder of CRC in 1985.

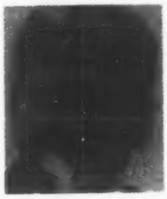
John, 34, is married to Debbi Bauserman, and is the proud father of a 6 month old daughter, Cameron.

Bauserman was raised in a single parent home by his father and grandmother.

A major part of John's practice is family law. He has represented fathers, mothers, and grandparents in court seeking custody and access (visitation) for their children and grandchildren.

Chief Executive Officer (CEO)

Samuel A. Brunelli, a member of CRC's Board of Directors, speaker at CRC conferences, and major fundraiser for Congressional candidates, was elected (CEO) at a board meeting November 9, 1998.



Sam's focus will be on coordinating programs with fundraising. He will bring his experience to bear in strengthening CRC chapters.

When Sam's ex-wife moved from Colorado a number of years ago to Washington, D.C. with their two young daughters, Sam closed his business in Colorado to follow his children to Washington, so he could be an active parent for them.

In Washington, Sam became director of Intergovernmental Affairs at the Department of Education from 1985-88, then Executive Director of the American Legislative Exchange Council (ALEC) from 1988-1996. At ALEC, Sam appointed Washington lawyer Ron Henry, and CRC President David L. Levy to an ALEC task force that recommended "model legislation" to ALEC's 3,000 state legislator members around the country.

Sam is president of Team Builders, International, and assists his wife Robin Read, president and CEO of the National Foundation for Women Legislators.

From 1966 to 1973, Sam played on the offensive and defensive lines of the Denver Broncos. He remains a Broncos fan to this day.

Sam was co-chair of the Republican Gala held in February 1998, and raised millions of dollars in 1998 for Republican and Democratic candidates for Congress and other offices.

"But most important to me is the everyday role of being a husband to my wife Robin, and parent to Tia and Dara, now successful financial associates with firms in New York," said Sam.

Other New Board Members

Several individuals were elected to Board positions at the October 6 meeting. They are:

Judge Richard V. Waldron (Ret'd). Judge Waldron served as a district court judge in Prince George's County, Maryland, from 1977 to 1987. Previously, he was a U.S. Marine, and an FBI agent. He has been married for 44 years to his wife Mary. They have a son who is divorced and remarried, and who has joint custody with his first wife of their two boys ages 8 and 10 in Maryland.

Ingrid Bough-Bell, a paralegal and federal government employee, has seen the negative effects children suffer by divorce and separation, especially during her years as a school teacher. She has been a CRC volunteer for three years, and has worked on many CRC projects.

John Bauserman, Sr. John, who was a co-founder of CRC and original member of the board, has re-joined the board. John is an expert at researching and evaluating joint custody research, and has passed that research ability to his son Robert, whose meta-analysis of joint custody appeared in a previous issue of Speak Out for Children.

They join board members Lee Yarborough and David L. Levy.

New Chapters and Growing!

Several national organizations have affiliated with CRC, but the Center for Children of Separation and Divorce, in Charlotte, North Carolina, is the first organization to affiliate on the state or local level. CCSD is headed by Dan Carrigan, a longtime member of the Children's Rights Council. If you would like information on programs and services for children in North Carolina, contact Dan or his staff at 704/522-1331. Dan will be working with Fred Wall, CRC's North Carolina coordinator.

CRC has a new chapter in Pittsburgh, headed by Michael Nieland, M.D., president and treasurer, and James D. Carmine, Ph.D., vice-president and secretary. Michael is the subject of the book, "A Family Divided." (see elsewhere in this issue).

Nieland

CRC of New York City has new leadership. Thomas Thornton, who has been actively involved in the steering committee and has been editing the chapter's newsletter, was elected president. Serge Prengel, long-time president, has retired as president, but will still be active.

Nebraska/Iowa is still CRC's largest chapter. Maybe here is why. Prior to the 1997 CRC conference in Washington, D.C., Lyn and Bill Huerter, who head the chapter, were asked if they would lead a panel discussion on chapter structure and development. They demurred, saying that perhaps they were not quite all that knowledgeable. But they ran a large chapter, networked everywhere, and were on their way to obtaining a $50,000 access grant (which CRC of Nebraska has since obtained from the state of Nebraska to supervise mediation services). Lyn and Bill gave the panel discussion, and it was a hit with conference attendees, for its clarity on organization, structure, advocacy, and education. "Thank you, Bill and Lynn Huerter, for all you do for children and families!," said CRC Board Chairman John L. Bauserman, Jr.

Mediation, Moveaway Help

Leslee Newman, J.D., who has been giving free consultations on moveaway issues to CRC members, is available for mediation consultations (at a fee). Leslee, who is a trained mediator, can be reached at 714-282-1515. Her husband Don Smith, Ph.D., clinical psychologist, is available for child custody evaluations. Don's number is 714-939-6678. Don and Leslee are both in Orange County, California, but can handle cases anywhere in the country.

Invite Don Bieniewicz to Your State!

If a state agency or commission invites Don Bieniewicz to testify in your state, it could help your state to get a new, fairer guideline.

Don is author of the CRC guideline published by the federal government in its booklet entitled "Child Support Guidelines: The Next Generation."

The CRC model child support guideline is based on a child having two parents.

This is the first time that the federal government has ever distributed a guideline that takes into account the direct expenditures on a child by the non-custodial parent.

To obtain a copy of the federal publication, phone (202) 401-9383, which is the Office of Child Support Enforcement's Child Support Reference Center, located at 370 L'Enfant Promenade SW, Washington, D.C. 20447. There is no charge for the publication, as long as supplies last.

Copies of the guideline itself as published by the government are available from CRC for $5 for CRC members, and $10 for non-members, including shipping and handling.

If you would like to contact Don Bieniewicz for his assistance in getting this guideline adopted in the states, write him at 10004 Fairoaks Road, Vienna, VA 22181, contact him via email at DonBien@erols.com, or phone 703-255-0837 (evenings).

The Non-Custodial Parents Quilt

Serge Prengel of CRC of New York City has taken the initiative in organizing *The Non-Custodial Parents Quilt.*

This "quilt" is a collection of photographs of divorced parents with their children. Each time a photo comes to the quilt, a square with a heartis added to the internet quilt-and the picture is right underneath it. You can see the work-in-progress at www.betterdivorce.com/quilt/.

The quilt itself will be shown throughout the country in 1999, said Prengel. "Symbolically, this collection is similar to a fabric quilt: as individuals, our love for our children is not seen by the world, just as the little pieces of fabric that make up a quilt are relatively insignificant by themselves. Put together, our capacity to give love and warmth becomes more visible to all."

Please send pictures of you and your child for insertion on the Quilt to Serge Prengel, Mission Creative Energy, 27 W. 24th St., Suite 603, NYC, NY 10010, or phone Serge at 212-337-3737, email Serge@missioncreative.com

"Why the Quilt?" asks Prengel

"Because we as a society all share responsibility for creating a system which makes the principle 'the best parent is both parents' a reality by recognizing that 'the best interests of children' cannot be met unless the ability of both parents to raise and nurture their children is maximized.

"As a civil rights and human rights movement, the Divorced Parents Quilt is a call to awareness that the most important role parents can and must play, is to parent through contact and time spent with their children, and that family values often cannot and do not survive when broken families disintegrate from the loss of a parent and perpetuation of parental irresponsibility and abuse."

National Coordinator: Serge Prengel (Tel): 212-337-3737; e-mail: serge@divorcedfather.com.

"Stepmom" Rates 4 Stars!

See this new movie with Julia Roberts, Susan Sarandon and Ed Harris, from Columbia Pictures. "Finally, we have a movie about a stepparent who is not a repellant creature," said Margorie Engel, president of the Stepfamily Association of America, an affiliate group to CRC. "Mom and Stepmom get into various arguments, but the father of the children, like the mom and stepmom, put the best interests of the children in the forefront. The dad constantly reinforces to the children that their mom was a good mother to them, and he continually let the stepmom know that he appreciated what she was doing.

Roberts

Beat the Tax Man: Contribute to CRC

If you wish to consider leaving a bequest or property to CRC, please let CRC know of your generosity.

Contact your accountant or tax advisor on the best way to structure any such bequest.

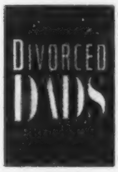
Or contact CRC, and we can suggest an accountant or tax advisor to assist you.

Book Reviews

Divorced Dads: Shattering the Myths- The Surprising Truth about Fathers, Children and Divorce

By Sanford L. Braver, Ph.D., with Diane O'Connell
(New York: Tarcher/Putnam, 1998; hardcover, 288 pp., $24.95)

Reviewed by William Hess, member, CRC of New York City



This book is largely based on years of research conducted by Dr. Braver in which he interviewed divorced couples before their divorce and at several specific intervals in the years following their divorce.

The information gained in these interviews caused his team to question the results of other studies, and this book becomes a general overview that compares many different studies concerning divorce and their impact on public opinion and legislation.

Dr. Braver and Ms. O'Connell have also written about interviews they conducted with other divorced parents, specifically seeking to compare the experience of divorce from each spouse's point of view. This book is one of the few times that researchers have actually sought out the opinions of divorced fathers rather than simply concluding that they are the "bad" guys in the unfortunate scenario of divorce. NYC CRC members were actively involved in some of these interviews. Diane O'Connell has also spoken at our meetings.

A considerable portion of the book is given to debunking past studies that received much attention in the press. This book shows precisely why those studies are flawed and how the conclusions should be vastly different than they were.

For instance, the authors amply refute Dr. Lenore Wietzman's flawed contention that custodial mothers fare poorly in economic terms after divorce. Braver and O'Connell point out obvious mathematical errors in her study and specifically bring attention to the many economic factors such as preferential tax treatment and noncustodial parenting costs which are never considered in child support determinations, all of which add to the economic burden of the noncustodial parent.

Finally, the book makes a strong argument for balanced involvement of both parents in the life of the child. It can only be hoped that this book receives the careful and extensive attention that it deserves and that it will be instrumental in reversing the disastrous public policies now in place. This book is very well documented and is an excellent resource for data which can be usefully quoted.

We highly recommend that you read this book and that you refer others (especially legislators and media) to this excellent research work.

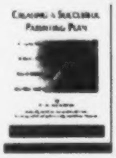
When Sanford Braver started researching the topic of fathers in divorced families, he expected to confirm what the media had been reporting for years: that on the whole, divorced fathers abandon their children, don't pay their child support, impoverish their former wives and children, and benefit financially and psychologically from the process. What he found, though, after years of research funded by the National Institute of Mental Health and other prestigious institutions, was that these widely held notions about divorced fathers were simply untrue.

– from review by Armin Brott in The Washington Post, November 29, 1998

Editor's Note: Sanford Braver has spoken at three CRC conferences, and he previewed the book at our 1997 conference. Order the book from the CRC catalog, in this newsletter.

Creating a Successful Parenting Plan

By A. Jayne Major
A Living Media 2000 Parenting Book
198 pages, $24.95



This is a step-by-step guide for the care of children of divided families, as told by one of the foremost parenting educators in the U.S. Major is a nationally acclaimed author, who previously wrote "Breakthrough parenting" and "Winning the Custody War Without Casualties."

Her chapters are neatly divided into Moving from an Intimate to a Business Relationship, Understanding how Children Experience Separation at Various Age Levels, Anticipating your Child's Needs, Getting Organized, Understanding What Goes into your Parenting Plan, and what is perhaps the heart of the book–Filling Out a Sample Parenting Plan. She provides a worksheet to make your answers easier to prepare!

The parenting plan in the book takes account of virtually every contingency you can think of. If you don't want to include certain points in your plan, you don't have too–but the elements are there so that you won't forget to at least consider all the options!

The author urges parents to avoid language that implies that one parent "visits with" the child. Instead, parents and professionals should use words like "timeshare" or "living at the other home" when discussing the other parent.

Major constantly talks about the need for a child for both parents, for the child not to have to blame or choose sides, and to own the time the child is with his or her parents. "It is my right, not the right of my parents," the child in the book says.

And a child should not be asked "Where do you want to live?", for this is an adult decision. Many a young child has felt guilty over choosing one parent over the other, joint custody advocate James A. Cook of Los Angeles has often pointed out.

Major wisely explains that there should not be a "final" version of a parenting plan for your child. The plan you are creating when you separate or divorce is a living document that must change over time, as your child grows. Major bemoans the fact that some teen-agers are still forced to operate under a parenting plan designed when they were toddlers.

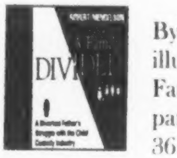
The author also encloses tips on how to prepare for a child custody evaluation. Many a parent, after an evaluation, wishes they had some indication of what the evaluation would consist of ahead of time. Just a smidgen of preparation can prepare you for what the evaluator is looking for!

Major, who has spoken at CRC conferences, also reveals resources for parents, and tells how to make your parenting agreement legal and binding, even though it is a living document that will change over time.

A wonderful book by an expert!

A Family Divided
A Divorced Father's Struggle with the Child Custody Industry

by Robert Mendelson
Prometheus Books
547 pages, $20



This book is aptly subtitled "A Divorced Father's Struggle with the Child Custody Industry." In a large, richly-detailed narrative, author Mendelson tells the tale of Dr. Michael Nieland and his decade-long battle with the American Legal system and its Allegheny County, Pennsylvania, Family Division.

His attempts to remain actively in the lives of his children are subject to what the book says are "civil rights abuses and indifferent judges who subject caring parents to vengeful ex-spouses and opportunistic psychologists and psychiatrists."

Through letters, vivid courtroom testimony, and the personal recollections of Dr. Nieland, this book alerts divorcing parents to the hidden minefields of custody proceedings, offers practical recommendations for reform, and sheds light on the real cause of fatherlessness in America.

Although there is a "family division" in Allegheny County (Pittsburgh) where the Nieland case was heard, readers will see in these pages that creation of a family division of itself is no panacea, and that the divorce industry flourishes all across America, wreaking havoc on families.

Judges must be interested in dispensing justice, and in demilitarizing the divorce process, if anything called a family division is to really serve the best interests of the family. The family division as depicted in Allegheny County does not appear to rise to the challenge.

Although the book is mainly aimed at warning fathers about the divorce industry, anyone who wants to know about the system, from its expert witnesses to its lawyers, judges, and hidden psychological and financial costs, will find this an instructive narrative.

Everyone should read such a book before they get married, and certainly before they consider divorce. It can help them avoid many a pitfall.

Note: Nieland is in the process of forming a CRC chapter in Allegheny County.

I Love You More than...

By Elizabeth Hickey and James Cohen,
illustrated by Lynda Smart Brown
Family Connections Publishing Company, Salt Lake City, Utah
36 pages, $16.95

CRC's National Parenting Education Director Elizabeth Hickey has done it again!

Written another outstanding book, as fine in its own way as her earlier book "Healing Hearts," and her video, "Children, the Experts on Divorce."

The story is beautifully told, and the illustrations are breathtakingly lovely. You and your child will enjoy them every time you open the book.

The simple, but appealing story begins when little Amanda's father is reading her a bedtime story.

She asks "Daddy, do you love me?"

"You're the one that I adore and every day I love you more," Amanda's father answered.

"Mommy too?" she asked.

"Mommy too," Daddy said.

"Do you love me more than candy and ice cream?" Amanda asked her father. "I love you more than your wildest dream," her daddy said.

And then Amanda has a wild dream, to fetching colors and illustrations of animals that suggest great whimsy.

"I love you more than Earth and Mars, asteroids, comets and bright shooting stars."

And then there are all those delightful asteroids, comets and shooting stars jumping off the page at you.

As Amanda's dream came to an end, she thought she heard her daddy whisper, "Today when you wake and play, I'll love you even more than yesterday."

Intellectual Property Protection

Charlie Ruggiero, who obtained trademark protection for the name and logo "Children's Rights Council" and the name and logo for our newsletter "Speak Out for Children" is a specialist in trademark, patent, copyright, and licensing law. He is a partner in the law firm of Ohlandt, Greeley, Ruggiero and Perle, 1 Landmark Square, Suite 903, Stamford, CT 06901, telephone (203) 327-6067.

Write to Congress!

We have a new Congress. Do you know who your Representatives and Senators are? Write and get acquainted. Tell them politely what you think about what is happening to children and families these days. Get acquainted with the staff membersworking for the Representative and Senator who handle our types of family issues. Then when you write later in the session asking them to vote for or against an issue, they know you!

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House of Representatives
Washington, D.C. 20515
Write to Senators at:
Senator — (name of your Senator)
U.S. Senate
Washington, D.C. 20510

Get to know your State legislators, too!

Equal Parents' Week

by Patti Diroff

CRC's National Coordinator of Equal Parents' Week

Equal Parents' Week 1998 (July 27 - August 2) included participation by people in 20 states who tied purple ribbons and held candlelight vigils. CRC Chapters in New Jersey, New York, Georgia, and Kentucky /Ohio collectively held 120 candlelight vigils and other activities.

Other organizations throughout the country joined with CRC, including Women for Fatherhood in Alabama, the Coalition of Parent Support in California, Parents Without Rights in Florida, Fathers are Parents, Too in Georgia, National Parental Rights & Children and Grandparents Rights in New Strength in Indiana, Kidsview in Kansas, Fathers for Equal Rights in Michigan, Fathers Rights Association in New York, Fathers & Children's Equality in Pennsylvania, Equal Parents Equal Time in Virginia, American Fathers Alliance in Washington, and Wisconsin Fathers for Equal Justice in Wisconsin.

One of CRC's newest chapters, Parents United as One in Missouri, held several activities, including candlelight vigils, tying purple ribbons through the city of Springfield, and crafting purple lanterns sold as a fundraiser and used at one of the vigils.

The united efforts of these organizations with CRC were a significant factor in bringing national attention to the message sent by Equal Parents' Week.

On behalf of CRC, I would like to extend a heartfelt thank you to all the CRC chapters and other organizations whose untold efforts and hard work made Equal Parents' Week a success. The purple ribbon tied by each of us sends the message of CRC; a universal message, and message from our very hearts. When we look into the faces of our children we cannot help but see their vulnerability and their need for love, and it becomes so clear what is truly at stake.

Nothing is more important than giving them all the love we have to give. The simple act of tying a purple ribbon may seem so insignificant, but the power of this message being sent by purple ribbons all over this country will reach people everywhere. If every father, mother, grandfather, grandmother, stepfather and stepmother, aunt, uncle, and all family members who cherish this devotion in their hearts sends this message we will do just that.

If we could, we would surely move heaven and earth for our children. That is what unconditional love and sacrifice is about, and that is the message we are sending."

I can be reached at 909/591-3689 and pattidiroff@worldnet.att.net.

California Child Support Guideline Review

CRC of California has submitted 19 pages of comments which comprehensively address deficiencies in California's financial child support guideline. The CRC comments also address a report on the guideline issued by the state of California.

Patti Diroff, CRC's National Equal Parents Week Coordinator, took the initiative in analyzing the problems with California's guideline and issuing a report which was endorsed by CRC of California.

Some of the deficiencies that were noted:

◆ the current guidelines looks to the welfare of only one parent, not both, as affecting the well-being and best interests of children;

◆ spending patterns of married 2-parent families do not constitute a valid premise for determining the costs of raising children of divorce;

◆ the most effective solution to prevent manipulation of child support through child custody is to ensure that the clearest and most objective focus on parenting issues, parental accountability, and the best interests of children is applied by judges in making custody decisions.

"A state's child support guideline must promote the ability of both parents to meet all their children's needs, said Diroff, quoting from her report. "The current California guideline does not, because it is inflexible and unaffordable for many middle and low-income parents. Such parents can face financial devastation, and in turn cause them to give up and remove themselves completely from their children's lives."

Updated Parenting Directory Available

The new update of CRC's International Parenting Directory is now available. Updated as of September, 1998, this 7th edition of the directory contains information on more than 1,200 groups and individuals across the country and abroad working in areas such as custody, access/visitation, and prevention of parental kidnapping. The Directory, an invaluable networking tool, is available in hardcopy or disk for $12 for CRC members, and $15 for non-members. CRC thanks Paul Robinson and Ed Mudrak for their hard work in updating this Directory. The hardcopy is updated once a year; the disk is updated frequently. Order from CRC and specify which version you want–hardcopy or disk.

National Affiliate Organizations and Chapters

National Affiliate Organizations

Mothers Without Custody (MW/OC)
call CRC for information

Parents Without Partners (PWP)
Ms. Kathy Bell, Director
401 N. Michigan Avenue
Chicago, IL 60611-4267
1-800/637-7974
Alt. phone: 312/644-6610
e-mail: pwp@sha.com
website:
www.parentsplace.com/ read/ room/pwp

Members of PWP join CRC for only $20.00 a year

Stepfamily Association of America (SAA)
Mr. Larry Kallemeyn, Executive Director
650 J Street, Suite 205
Lincoln, Nebraska 68508
402/477-7837
Joint membership in SAA and CRC: $35.00 for the first year

TELL ANY OF THE ABOVE ORGANIZATIONS THAT YOU WANT A JOINT MEMBERSHIP IN THEIR GROUP AND CRC

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For development of chapters in the northwest part of the U.S. that do not yet have any CRC chapters, contact Jim Babcook at 402/792-2271.

To form chapters elsewhere that do not yet have chapters, contact the CRC office, at (202) 547-6227, email crcdc@erols.com

Join CRC, then ask for a copy of the 100-page CRC booklet that explains everything you need to know about affiliation. The cost of the booklet is $15.00.

To form additional chapters in states that already have one or more chapters, contact the state coordinator, existing state chapter head, or CRC national office.

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DO IT ANYWAY!

1. People can be illogical, unreasonable and self-centered.

Love them anyway!

2. When you do good, people can accuse you of selfish, ulterior motives.

Do good anyway!

3. The good you do today is often forgotten tomorrow.

Do good anyway!

4. Honesty and frankness make you vulnerable.

Be honest and frank anyway!

5. Great people with the grandest of ideas can be shot down by the pettiest people with the smallest minds.

Think big anyway!

6. What you spend years building may be destroyed overnight.

Build anyway!

7. People really need help, but may attack you if you do help them.

Help them anyway!

8. Give the world the best you have and the world may resist you every step of the way.

Give the world the best you have anyway!

By all means, do it anyway!

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